What it comes down to is this: Do we, or do we not, have confidence in the Latin Americans? Hard though the choice is, we cannot really have it both ways.

AMERICA, THE BEAUTIFUL

Mr. BARTLETT. Mr. President, before the President signed the immigration bill into law on Liberty Island, we were privileged to hear the voice of one of our Nation's greatest artists, Anna Moffo, of the Metropolitan Opera.

This great artist stood only inches from the water in New York Harbor—for Liberty Island is quite small—and over her shoulder one could see Ellis Island, where so many immigrants to this country have passed.

In a few words, before her song, Miss Moffo explained that her own father had been an immigrant to America.

This country is indeed fortunate to have benefited from so many races and cultures.

As the President remarked, America became great and the land flourished, because it was fed from so many sources.

It would be impossible in a short time to enumerate all of the great scientists, philosophers, writers, painters, and singers whose roots go back to other lands.

Now, the new immigration bill states that those wishing to immigrate here shall be admitted on the basis of their skills and their close relationship to those already here.

In signing the bill, President Johnson said that "today we can all believe that the lamp of this grand old lady is brighter today—and the golden door she guards gleams more brilliantly in the light of an increased liberty for people from all countries."

RECESS

Mr. LONG of Louisiana. Mr. President, I move that the Senate stand in recess until noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 27 minutes p.m.) the Senate took a recess until tomorrow, Tuesday, October 5, 1965, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 4 (legislative day of October 1), 1965:

DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY

John W. Hechinger, of the District of Columbia, to be a member of the District of Columbia Redevelopment Land Agency for the term expiring March 3, 1970.

IN THE AIR FORCE

The nominations beginning Harry H. Abe to be captain, and ending Fred L. Witzgall to be captain, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on September 24, 1965.

IN THE ARMY

The nominations beginning Sterling H. Abernathy to be colonel, and ending Stephen C. M. Zakaluk to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on September 24, 1965.

HOUSE OF REPRESENTATIVES

TUESDAY, OCTOBER 5, 1965

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore, Mr. ALBERT.

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Clerk will read the following communication.

The Clerk read as follows:

OCTOBER 5, 1965.

I hereby designate the Honorable CARL ALBERT, of Oklahoma, to act as Speaker pro tempore today.

JOHN W. MCCORMACK,
Speaker.

PRAYER

The Chaplain, Rev. Bernard Braskamp, D.D., used this verse of Scripture:

Colossians 3: 16: *Let the word of Christ dwell in you richly in all wisdom.*

Almighty God, we invoke Thy blessing on all mankind, especially the lonely of soul with Thy fellowship and the wounded of heart with Thy healing.

Show Thy mercy to all who spend their days languishing in weakness and are continually pursued by pain and are tempted to lose all hope.

Help us to understand that these needs may not necessarily be an end but a means inspiring us to think of Thee and the spiritual things which we may have forgotten or neglected.

May we realize that our many troubles often have their roots in our physical discords and thus become a valley of shadows, drear and desolate, rather than a sunny upland.

Grant that health of soul, one that is rich in sympathy and radiant in peace, may be our first concern.

May our faith in Thee never be a tradition or theory but heartfelt. May the Christ of Prophecy who became the Christ of History be for us the Christ of Experience.

In His name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Friday, October 1, 1956, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On September 29, 1965:

H.R. 948. An act to amend part II of the District of Columbia Code relating to divorce, legal separation, and annulment of marriage in the District of Columbia;

H.R. 1395. An act for the relief of Irene McCafferty;

H.R. 2926. An act for the relief of Efstahia Giannos;

H.R. 2933. An act for the relief of Kim Jai Sung;

H.R. 3989. An act to extend to 30 days the time for filing petitions for removal of civil actions from State to Federal courts;

H.R. 5883. An act to amend the bonding provisions of the Labor-Management Reporting and Disclosure Act of 1959 and the Welfare and Pension Plans Disclosure Act;

H.R. 6294. An act to authorize Secret Service agents to make arrests without warrant for offenses committed in their presence, and for other purposes; and

H.R. 9854. An act for the relief of A. T. Leary.

On September 30, 1965:

H.R. 205. An act to amend chapter 35 of title 38 of the United States Code in order to increase the educational assistance allowances payable under the war orphans' educational assistance program, and for other purposes; and

H.J. Res. 673. Joint resolution making continuing appropriations for the fiscal year 1966, and for other purposes.

On October 1, 1965:

H.R. 1221. An act for the relief of Betty H. Going;

H.R. 2414. An act to authorize the Administrator of Veterans' Affairs to convey certain lands situated in the State of Oregon to the city of Roseburg, Oreg.;

H.R. 2694. An act for the relief of John Allen;

H.R. 3062. An act for the relief of Son Chung Ja;

H.R. 3337. An act for the relief of Mrs. Antonio de Oyarzabal;

H.R. 3765. An act for the relief of Miss Rosa Basile DeSantis;

H.R. 4596. An act for the relief of Myra Knowles Snelling;

H.R. 5252. An act to provide for the relief of certain enlisted members of the Air Force;

H.R. 5768. An act to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk, and for other purposes;

H.R. 5839. An act for the relief of Sgt. Donald R. Hurrle, U.S. Marine Corps;

H.R. 5903. An act for the relief of William C. Page;

H.R. 8212. An act for the relief of Kent A. Herath;

H.R. 8352. An act for the relief of certain employees of the Foreign Service of the United States;

H.R. 8715. An act to authorize a contribution by the United States to the International Committee of the Red Cross; and

H.R. 9877. An act to amend the act of January 30, 1913, as amended, to remove certain restrictions on the American Hospital of Paris.

On October 3, 1965:

H.R. 2580. An act to amend the Immigration and Nationality Act, and for other purposes.

On October 4, 1965:

H.R. 4152. An act to amend the Federal Farm Loan Act and the Farm Credit Act of 1933 to provide means for expediting the retirement of Government capital in the Federal intermediate credit banks, including an increase in the debt permitted such banks in relation to their capital and provision for the production credit associations to acquire additional capital stock therein, to provide for allocating certain earnings of such banks and associations to their users, and for other purposes; and

H.R. 7682. An act for the relief of Mr. and Mrs. Christian Voss.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced

that the Senate had passed without amendment bills of the House of the following titles:

H.R. 824. An act to authorize the transfer of certain Canal Zone prisoners to the custody of the Attorney General;

H.R. 3045. An act to authorize certain members of the Armed Forces to accept and wear decorations of certain foreign nations;

H.R. 5665. An act to authorize disbursing officers of the Armed Forces to advance funds to members of an armed force of a friendly foreign nation, and for other purposes;

H.R. 6165. An act to repeal section 165 of the Revised Statutes relating to the appointment of women to clerkships in the executive departments;

H.R. 7329. An act to provide for the conveyance of certain real property of the United States to the city of San Diego, Calif.;

H.R. 9975. An act to authorize the shipment, at Government expense, to, from, and within the United States and between oversea areas of privately owned vehicles of deceased or missing personnel, and for other purposes; and

H.R. 10234. An act to amend section 1085 of title 10, United States Code, to eliminate the reimbursement procedure required among the medical facilities of the Armed Forces under the jurisdiction of the military departments.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 1805. An act to amend section 5899 of title 10, United States Code, to provide permanent authority under which Naval Reserve officers in the grade of captain shall be eligible for consideration for promotion when their running mates are eligible for consideration for promotion;

H.R. 7484. An act to amend title 10, United States Code, to provide for the rank of lieutenant general or vice admiral of officers of the Army, Navy, and Air Force while serving as Surgeons General;

H.R. 8310. An act to amend the Vocational Rehabilitation Act to assist in providing more flexibility in the financing and administration of State rehabilitation programs, and to assist in the expansion and improvement of services and facilities provided under such programs, particularly for the mentally retarded and other groups presenting special vocational rehabilitation problems, and for other purposes;

H.R. 9022. An act to amend Public Laws 815 and 874, 81st Congress, to provide financial assistance in the construction and operation of public elementary and secondary schools in areas affected by a major disaster; to eliminate inequities in the application of Public Law 815 in certain military base closings; to make uniform eligibility requirements for school districts in Public Law 874; and for other purposes;

H.R. 9047. An act to authorize the release of certain quantities of zinc from either the national stockpile or the supplemental stockpile, or both; and

H.R. 10238. An act to provide labor standards for certain persons employed by Federal contractors to furnish service to Federal agencies, and for other purposes.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 306. An act to amend the Clean Air Act to require standards for controlling the emission of pollutants from gasoline-powered or diesel-powered vehicles, to establish a Federal Air Pollution Control Laboratory, and for other purposes; and

S. 1856. An act to authorize the Secretary of the Navy to sell uniform clothing to the Naval Sea Cadet Corps.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1316. An act to authorize the Commissioners of the District of Columbia to enter into joint contracts for supplies and services on behalf of the District of Columbia and for political divisions and subdivisions in the National Capital region; and

S. 2542. An act to amend the Small Business Act.

TWELFTH ANNUAL REPORT OF THE CORREGIDOR-BATAAN MEMORIAL COMMISSION FOR THE FISCAL YEAR ENDED JUNE 30, 1965—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 299)

The SPEAKER pro tempore laid before the House the following message from the President of the United States, which was read and, together with accompanying papers, was referred to the Committee on Foreign Affairs and ordered to be printed with illustrations:

To the Congress of the United States:

Pursuant to the provisions of Public Law 193, 83d Congress, as amended, I hereby transmit to the Congress of the United States the 12th annual report of the Corregidor-Bataan Memorial Commission for the fiscal year ended June 30, 1965.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *October 5, 1965.*

CONSENT CALENDAR

The SPEAKER pro tempore. This is the day for consideration of bills on the Consent Calendar.

The Clerk will report the first bill on the calendar.

ESTABLISHMENT OF THE ROGER WILLIAMS NATIONAL MEMORIAL IN THE CITY OF PROVIDENCE, R.I.

The Clerk called the first bill (H.R. 7919) to provide for the establishment of the Roger Williams National Memorial in the city of Providence, R.I., and for other purposes.

There being no objection, the Clerk read the bill, as follows:

H.R. 7919

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior may acquire by gift, purchase with appropriated or donated funds, transfer from any Federal agency, exchange, or otherwise, not to exceed five acres of land (together with any buildings or other improvements thereon) and interests in land at the site of the old town spring, traditionally called Roger Williams Spring, in Providence, Rhode Island, for the purpose of establishing thereon a national memorial to Roger Williams in commemoration of his outstanding contributions to the development of religious freedom in this country: *Provided,* That property owned by the city of Providence or the Providence Redevelopment Agency may be acquired only with the consent of such owner.

SEC. 2. The property acquired pursuant to the first section of this Act shall be established as the Roger Williams National Memorial and the Secretary of the Interior shall publish notice of such establishment in the Federal Register. Such national memorial shall be administered by the Secretary subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes," approved August 25, 1916 (39 Stat. 535), as amended and supplemented, and the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes," approved August 21, 1935 (49 Stat. 666).

SEC. 3. (a) The Secretary is authorized to cooperate with the city of Providence, local historical and preservation societies, and interested persons in the maintenance and operation of the Roger Williams National Memorial, and he may seek the assistance of and consult with such city, societies, and persons from time to time with respect to matters concerning the development and operation of the memorial.

(b) The Secretary may accept on behalf of the people of the United States gifts of historic objects and records pertaining to Roger Williams for appropriate display or other use in keeping with the commemoration of the founding of religious freedom in the United States and of the historical events that took place in the city of Providence in connection therewith.

SEC. 4. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

With the following committee amendments:

Page 2, line 2, strike out "religious" and insert "the principles of".

Page 3, line 5, strike out "religious" and insert "the principles of".

Page 3, lines 8, 9 and 10, strike out all of section 4 and insert in lieu thereof the following:

"SEC. 4. There are hereby authorized to be appropriated not more than $700,000 for the acquisition of lands and interests in land and for the development of the Roger Williams National Memorial, as provided in this Act."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1855) to provide for the establishment of the Roger Williams National Memorial in the city of Providence, R.I., and for other purposes.

The Clerk read the title of the bill.

Mr. BOLAND. Mr. Speaker, a member of the Committee on Interior and Insular Affairs was to be here with an amendment to offer to the House, but he has not arrived.

I ask unanimous consent that consideration of the Senate bill be placed at the end of the calendar.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

AMENDING THE FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949, AS AMENDED

The Clerk called the bill (S. 1516) to amend the Federal Property and Administrative Services Act of 1949, as amended, so as to authorize the Administrator of General Services to enter into contracts for the inspection, maintenance, and repair of fixed equipment in federally owned buildings for periods not to exceed 5 years, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. JOHNSON of Pennsylvania. Mr. Speaker, reserving the right to object, I would like to ask some questions about this bill and will yield to anyone who is handling the bill.

Mr. Speaker, in the absence of anybody to explain the bill, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

PAINTING, MARKING, AND DISMANTLEMENT OF RADIO TOWERS

The Clerk called the bill (S. 903) to amend the Communications Act of 1934, as amended, with respect to painting, illumination, and dismantlement of radio towers.

There being no objection, the Clerk read the bill, as follows:

S. 903

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 303(q) of the Communications Act of 1934 (47 U.S.C. 303(q)) is amended by inserting after the period at the end thereof the following: "The permittee or licensee shall maintain the painting and/or illumination of the tower as prescribed by the Commission pursuant to this section. In the event that the tower ceases to be licensed by the Commission for the transmission of radio energy, the owner of the tower shall maintain the prescribed painting and/or illumination of such tower until it is dismantled, and the Commission may require the owner to dismantle and remove the tower when the Administrator of the Federal Aviation Agency determines that there is a reasonable possibility that it may constitute a menace to air navigation."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SECURITIES ACT OF 1933 FILING FEES

The Clerk called the bill (H.R. 7169) to amend the Securities Act of 1933 with respect to certain registration fees.

There being no objection, the Clerk read the bill, as follows:

H.R. 7169

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6(b) of the Securities Act of 1933 (15 U.S.C. 77(f)) is amended by striking out "one one-hundredth" and inserting in lieu thereof "one-fiftieth", and by striking out "$25." and inserting in lieu thereof "$100."

SEC. 2. The amendments made by the first section of this Act shall take effect July 1, 1965.

With the following committee amendments:

Page 1, line 4, strike "77(f)" and insert "77f(b)".

Page 1, line 8, strike "July 1, 1965" and insert "January 1, 1966".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REDETERMINATION OF ANNUITIES OF CERTAIN REEMPLOYED ANNUITANTS

The Clerk called the bill (H.R. 969) to authorize redetermination under the Civil Service Retirement Act of annuities of certain reemployed annuitants.

There being no objection, the Clerk read the bill, as follows:

H.R. 969

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last sentence of section 13(b) of the Civil Service Retirement Act, 5 U.S.C. 2263(b), is amended to read as follows: "Notwithstanding the restriction contained in section 115 of the Social Security Amendments of 1954, Public Law 83-761, a similar right to redetermination after deposit shall be applicable to an annuitant (1) whose annuity is based on an involuntary separation from the service and (2) who is separated on or after March 31, 1961, after such period of full-time reemployment which began before October 1, 1956."

SEC. 2. Notwithstanding any other provision of law, annuity benefits resulting from enactment of this act shall be paid from the civil service retirement and disability fund.

With the following committee amendment:

Page 1, line 10, strike out "March 31, 1961" and insert in lieu thereof "July 12, 1960".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, and passed, and a motion to reconsider was laid on the table.

INTERNATIONAL BRIDGE AT PHARR, TEX.

The Clerk called the bill (H.R. 10779) to authorize the Pharr Municipal Bridge Corp. to construct, maintain, and operate a toll bridge across the Rio Grande, near Pharr, Tex.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. PELLY. Mr. Speaker, reserving the right to object, I notice in the report accompanying this bill the views of the Department of State are not printed in the report nor are the views of the Bureau of the Budget indicated. My understanding is that the chairman of the Committee on Foreign Affairs has a letter from the Department of State favorably commenting on this bill. But I have no knowledge as to the views of the Bureau of the Budget, and I would yield so that that information may be supplied for the RECORD.

Mr. SELDEN. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield to the gentleman.

Mr. SELDEN. The Department of State advised in its letter of September 14, 1965, to Chairman MORGAN that the Bureau of the Budget has no objection to the submission of the Department's report on this legislation.

Mr. PELLY. Mr. Speaker, I think the RECORD will now clearly indicate this. I am only hopeful in the future in order to help the Committee of Objectors that committee chairmen will see that their reports do have the views or reports from various agencies of the Government concerning legislation.

Mr. Speaker, I withdraw my reservation of objection.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, reserving the right to object, I would like to interrogate the gentleman further. I note that this measure mandates the building of this bridge within 3 years. Could the gentleman state to the Congress who will build this bridge?

Mr. SELDEN. This bridge will be built by the Pharr Municipal Bridge Corp. of Pharr, Tex., in accordance with the provisions of the act entitled, "An act to regulate construction of bridges over navigable waters," approved March 23, 1906, and is subject to, first, the conditions and limitations contained in this act; second, the approval of the International Boundary and Water Commission, United States and Mexico; and third, the approval of the proper authorities of Mexico. It is necessary for the Congress to authorize the construction of bridges across international boundaries.

Mr. JOHNSON of Pennsylvania. Does this legislation establish, let us say, a natural monopoly to this Municipal Bridge Corp. for the purpose of building this bridge?

Mr. SELDEN. It does at this point on the river. However, there are other bridges along the river as the gentleman knows.

Mr. JOHNSON of Pennsylvania. This will be a toll bridge, will it not?

Mr. SELDEN. Yes, this will be a toll bridge. It will be constructed at no cost to the Federal Government.

Mr. JOHNSON of Pennsylvania. Is there anything in legislation or any treaty between the two countries that when the tolls have paid for the bridge that it will become a free bridge; or will it never become a free bridge because in perpetuity a monopoly is granted?

Mr. SELDEN. There is a 66-year period from the date of completion of the bridge that tolls may be collected. At the end of that time it will become free. This is in the authorizing legislation.

Mr. JOHNSON of Pennsylvania. Would it become a free bridge sooner than 66 years if the tolls pay off the indebtedness?

Mr. SELDEN. It will not. This is the standard provision provided in recent years in legislation authorizing the construction of toll bridges across the Rio Grande.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 10779

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Pharr Municipal Bridge Corporation of Pharr, Texas, is authorized to construct a toll bridge and approaches thereto across the Rio Grande, at a point suitable to the interests of navigation, at or near Pharr, Texas, and for a period of sixty-six years from the date of completion of said bridge, to maintain and operate same and to collect tolls for the use thereof, so far as the United States has jurisdiction over the waters of such river, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906 (33 U.S.C. 491 to 498, inclusive), subject to—

(1) the conditions and limitations contained in this Act;

(2) the approval of the International Boundary and Water Commission, United States and Mexico; and

(3) the approval of the proper authorities in the Republic of Mexico; with respect to the construction, operation, and maintenance of such bridge.

SEC. 2. The Pharr Municipal Bridge Corporation may fix and charge tolls for transit over the bridge referred to in the first section of this Act in accordance with the laws of the State of Texas, and the laws of the United States, applicable to such tolls, and the rates of toll so fixed shall be legal rates until changed under the authority contained in section 4 of the Act of March 23, 1906 (33 U.S.C. 494).

SEC. 3. The Pharr Municipal Bridge Corporation may sell, assign, transfer, or mortgage the rights, powers, and privileges conferred on such company by this Act to any public agency, or to an international bridge authority or commission, and any such agency, authority, or commission is authorized to exercise the rights, powers, and privileges acquired under this section (including acquisition by mortgage foreclosure) in the same manner as if such rights, powers, and privileges had been granted by this Act directly to such agency, authority, or commission.

SEC. 4. Notwithstanding the provisions of section 6 of the Act of March 23, 1906 (33 U.S.C. 496), this Act shall be null and void unless the actual construction of the bridge referred to in the first section of this Act is commenced within three years and completed within five years from the date of enactment of this Act.

SEC. 5. The right to alter, amend, or repeal this Act is expressly reserved.

With the following committee amendments:

Page 1, line 10, strike out "river" and insert "river,".

Page 2, strike out lines 8 through 10, and insert the following:

"(3) the approval of the proper authorities in the Republic of Mexico;
with respect to the construction, operation, and maintenance of such bridge."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE DISPOSAL OF GRAPHITE QUARTZ CRYSTALS AND LUMP STEATITE TALC FROM THE NATIONAL STOCKPILE OR THE SUPPLEMENTAL STOCKPILE, OR BOTH

The SPEAKER pro tempore. The Clerk will call the next bill on the Consent Calendar.

The Clerk called the bill (H.R. 11096) to authorize the disposal of graphite quartz crystals and lump steatite talc from the national stockpile or the supplemental stockpile, or both.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, we might well have some indication as to what we paid for these materials and what we now expect to obtain by selling the materials. In other words, there is nothing to indicate the extent of the financial transaction in the report accompanying the bill.

Mr. BENNETT. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman from Florida.

Mr. BENNETT. First, with regard to the graphite, if this graphite is sold under the terms of the bill, the estimated loss would be $329,000.

Second, with regard to the talc, if the talc is sold today under the present bill, the loss would be $69,000.

Third, with regard to the quartz crystals, if they are sold today according to this legislation, the estimated gain to the Government would be $18 million.

So, the total sales of these products under the legislation would bring a total gain of $17,602,000.

Of course, the reason why this legislation is before us is because the Department has recommended to Congress that it no longer needs this type of stockpile to the extent that it now has it, and has recommended these reductions because these reductions can be made at a minimum loss to the Government if the sales take place promptly.

If you are going to look back and see why there was any loss on an individual item, then you would have to state how we got the material. Sometimes we get it by barter; sometimes by going out and purchasing it.

Regarding the two items which have been purchased, we are going to lose some money. The problem there is that we do not need the material now and we can probably sell it better today than later. That is what it amounts to.

Mr. GROSS. I thank the gentleman for his explanation. In the past we have had some very disgraceful situations with respect to stockpiling. I am glad to see the stockpiles reduced, if they can be reduced without endangering the security of this country. I remember all too well some of the disgraceful situations which led to excess stockpiling in the past.

I again thank the gentleman from Florida. I withdraw my reservation.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of, by negotiation or otherwise: (1) approximately sixteen thousand five hundred and eighty-six short tons of Malagasy crystalline graphite and two thousand and nine short tons of crystalline graphite produced in countries other than Ceylon and Malagasy, now held in the national stockpile established pursuant to the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h) and the supplemental stockpile estabished pursuant to section 104 (b) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(b)); (2) approximately four million three hundred and eight-eight thousand five hundred and twenty-two pounds of stockpile grade quartz crystals and four hundred and sixty-seven thousand eight hundred and sixteen pounds of nonstockpile grade quartz crystals, now held in said national and supplemental stockpiles, and (3) approximately one thousand and forty-nine short tons of lump steatite talc now held in said national stockpile. Such dispositions may be made without regard to the provisions of section 3 of the Strategic and Critical Materials Stock Piling Act: *Provided,* That the time and method of disposition shall be fixed with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RENDERING IMMUNE FROM LEGAL PROCESSES CERTAIN SIGNIFICANT IMPORTED CULTURAL OBJECTS

The Clerk called the bill (S. 2273) to render immune from seizure under judicial process certain objects of cultural significance imported into the United States for temporary display or exhibition, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I should like to ask someone what prompts the necessity for this legislation? The report is not clear.

Mr. ROGERS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Yes; I am glad to yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. The bill is consistent with the policy of the Department of State to assist and encourage educational and cultural exchange. Its enactment would be a significant step in international cooperation this year, which has been proclaimed by the President as International Cooperation Year.

The Department of State is informed that both the Smithsonian Institution and the American Association of Museums support this legislation.

If a foreign country or an agency should send exhibits to this country in the exchange and cultural program and someone should decide that it is necessary for them to institute a lawsuit against that particular country or those who may own the cultural objects, the bill would assure the country that if they did send the objects to us, they would not be subjected to a suit and an attachment in this country.

Mr. GROSS. What has been the experience with respect to seizure of objects which have been brought to the United States in the past? Have any suits been brought to seize them?

Mr. ROGERS of Colorado. So far as I know there have not been any suits instituted heretofore, nor has there been much of an exchange under the cultural program in this area.

Mr. GROSS. Does the gentleman anticipate quite an increase in the exchange of cultural objects?

Mr. ROGERS of Colorado. We just want to assure the individuals, if they do want to cooperate, that they will not subject themselves to lawsuits in this country.

Mr. GROSS. I am not going to object to this bill. I do not believe it can do any harm, and I do not believe it is going to do any good. According to the gentleman from Colorado, there has not been a single suit brought against a single individual who has brought some cultural object to this country. As far as I know it can do no particular harm, and I do not believe it can do any good. It has cost the taxpayers some money to go through a rigmarole which is utterly meaningless, in the light of past experience. I am not going to object, since it has gone this far. The printing has been done. But I hope that in the future we will not be burdened with bills and reports of this kind.

Mr. Speaker, I withdraw my reservation.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) whenever any work of art or other object of cultural significance is imported into the United States from any foreign country, pursuant to an agreement entered into between the foreign owner or custodian thereof and the United States or one or more cultural or educational institutions within the United States providing for the temporary exhibition or display thereof within the United States at any cultural exhibition, assembly, activity, or festival administered, operated, or sponsored, without profit, by any such cultural or educational institution, no court of the United States, any State, the District of Columbia, or any territory or possession of the United States may issue or enforce any judicial process, or enter any judgment, decree, or order, for the purpose or having the effect of depriving such institution, or any carrier engaged in transporting such work or object within the United States, of custody or control of such object if before the importation of such object the President or his designee has determined that such object is of cultural significance and that the temporary exhibition or display thereof within the United States is in the national interest, and a notice to that effect has been published in the Federal Register.

(b) If in any judicial proceeding in any such court any such process, judgment, decree, or order is sought, issued, or entered, the United States attorney for the judicial district within which such proceeding is pending shall be entitled as of right to intervene as a party to that proceeding, and upon request made by either the institution adversely affected, or upon direction by the Attorney General if the United States is adversely affected, shall apply to such court for the denial, quashing, or vacating thereof.

(c) Nothing contained in this Act shall preclude (1) any judicial action for or in aid of the enforcement of the terms of any such agreement or the enforcement of the obligation of any carrier under any contract for the transportation of any such object of cultural significance; or (2) the institution or prosecution by or on behalf of any such institution or the United States of any action for or in aid of the fulfillment of any obligation assumed by such institution or the United States pursuant to any such agreement.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVIDING FOR A TERM OF THE FEDERAL DISTRICT COURT AT CLINTON, N.C.

The Clerk called the bill (H.R. 1781) to amend section 113(a) of title 28, United States Code, to provide that Federal District Court for the Eastern District of North Carolina shall be held at Clinton.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 113(a) of title 28, United States Code, is amended by striking out "Court for the Eastern District shall be held at Elizabeth City, Fayetteville, New Bern, Raleigh, Washington, Wilmington, and Wilson." and inserting in lieu thereof "Court for the Eastern District shall be held at Clinton, Elizabeth City, Fayetteville, New Bern, Raleigh, Washington, Wilmington, and Wilson.".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed and a motion to reconsider was laid on the table.

RELIEF OF CERTAIN CLASSES OF CIVILIAN EMPLOYEES OF NAVAL INSTALLATIONS ERRONEOUSLY IN RECEIPT OF CERTAIN WAGES DUE TO MISINTERPRETATION OF CERTAIN PERSONNEL INSTRUCTIONS

The Clerk called the bill (H.R. 2627) for the relief of certain classes of civilian employees of naval installations erroneously in receipt of certain wages due to misinterpretation of certain personnel instructions.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. PELLY. Mr. Speaker, reserving the right to object, this is one of two bills on the Consent Calendar today to relieve certain workers from overpayments which were made as a result of errors by others. When such bills have come up in the past it has been customary to ask who was responsible for the error.

This is a small bill and it does not involve much, but I am hopeful that those who initiate legislation of this nature will make the record show as to what officers or what civilian leaders have been responsible for these mistakes.

Is there anyone who has knowledge of this bill who could set forth in the RECORD actually who made these mistakes?

Mr. ASHMORE. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield to the gentleman from South Carolina.

Mr. ASHMORE. This type of error has occurred at several naval shipyards. It has been called to their attention and it has been corrected in all instances of which we know.

In 1962, a similar bill came up and was passed by the House, providing relief for people in the same situation at the Alameda, Long Beach, and Philadelphia Shipyards.

We hope that these errors have been corrected. I am satisfied they have, and that we have been advised of all the errors. We believe this will not occur any more.

This is the same thing which occurred at about the same time at these other shipyards. It is not a reoccurrence.

Mr. PELLY. Mr. Speaker, I take it from what the gentleman has told the House that the committee which has studied this situation is satisfied there will be no reoccurrence and has looked into the matter and feels there is no recourse which can be properly made against those responsible for the error.

Mr. GROSS. Mr. Speaker, will the gentleman yield to me?

Mr. PELLY. I yield to the gentleman from Iowa.

Mr. GROSS. This bill on the Consent Calendar is only one of several bills that are to be found on today's Private Calendar dealing with this same subject. The gentleman from Washington makes an excellent point that the administrative officers who make these errors are not being held to account. We have been over this several times in the last 2 or 3 years. It is getting to the point where it may be necessary to object to these bills when considered under unanimous consent either on the Consent Calendar or the Private Calendar if this is what it is going to take to compel the responsible officials in the various departments and agencies of the Government to set forth in the report those responsible for these errors. It is not sufficient to slap individuals on the wrist and permit them to say, "We regret an administrative error which cost the taxpayers of this country thousands of dollars." This is not sufficient. The Congress is going to have to do something further to hold to account those who make these errors, because they are increasing rather than decreasing.

I certainly concur with the gentleman from Washington that there is nothing to be found in this report that holds anybody responsible, nor will he find it in

any other report accompanying either of these calendars. There is not a statement showing who is responsible for the administrative errors or any attempt to hold individuals responsible for the errors that have been made.

Mr. PELLY. Mr. Speaker, this problem has come up in previous years. I think probably it would be a good thing if the Committee of Objectors in considering their rules in the future would think of establishing a requirement that a statement be made as to the responsibility for these administrative errors. If no one can be pinned down as being responsible, then at least this statement will appear in the report accompanying this legislation.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. PELLY. I yield to the gentleman.

Mr. GROSS. It was not too long ago that the Comptroller General of the United States testified before a committee of Congress and pointed out that over one 5-year period administrative errors resulted in overpayments and noncollections from those who were overpaid at a cost to the Treasury of $100 million. This is in one 5-year period, and $100 million is a lot of money.

Mr. PELLY. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each civilian employee and each former civilian employee of any United States Navy installation is relieved of all liability to refund to the United States any and all amounts which were erroneously received by him without fault on his part after May 25, 1960, and before July 1, 1962, resulting from a premature within-grade advancement based upon a misinterpretation of cover sheet 852 of the Navy Civilian Personnel Instructions dated May 25, 1960. Any such employee or former employee who has at any time made repayment to the United States of an amount paid to him as a result of any such misinterpretation is hereby entitled to have refunded to him such amount so repaid if application therefor is made to the Secretary of the Navy within one year following the date of enactment of this Act. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for appropriate amounts for which liability is relieved by this Act. Appropriations available for the pay of civilian personnel of the Navy are hereby made available for payment of refunds under this Act.

With the following committee amendment:

Page 2, after line 12, insert the following language:

"SEC. 2. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HOLD DISTRICT COURT AT NEW LONDON, CONN.

The Clerk called the bill (H.R. 2653) to provide that the U.S. District Court for the District of Connecticut shall also be held at New London, Conn.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of section 86 of title 28, United States Code, is amended to read as follows: "Court shall be held at Bridgeport, Hartford, New Haven, New London, and Waterbury."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TRANSFER FIVE COUNTIES TO WESTERN DISTRICT OF OKLAHOMA

The Clerk called the bill (H.R. 8317) to amend section 116 of title 28, United States Code, relating to the U.S. District Court for the eastern and western districts of Oklahoma.

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

FRANKLIN DELANO ROOSEVELT MEMORIAL COMMISSION

The Clerk called the bill (H.R. 9495) to increase the appropriation authorization for the Franklin Delano Roosevelt Memorial Commission, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I note from the report that this is a five times increase for the support of the Commission over the previous appropriation. My question would be, Why is it necessary to increase from $25,000 to $125,000 the support of this Commission, and how much has been expended up to this time on the Commission? Does the $25,000 represent all of the expenditure up to this point?

Mr. JONES of Missouri. Mr. Speaker, will the gentleman yield to me?

Mr. GROSS. I am glad to yield to the gentleman from Missouri.

Mr. JONES of Missouri. This is before the Committee on House Administration, and I will try to explain it. The $25,000 has been expended. We have authorized an appropriation for $100,000. We do not expect it will all be expended in 1 year, but we do this rather than come back here and ask for it piecemeal.

Mr. GROSS. You mean $125,000.

Mr. JONES of Missouri. It is only an increase of $100,000 we are asking for at this time. That is added onto the $25,000. It shows $125,000 in the bill, but actually it is only an additional $100,000.

That is all that is being asked for here to carry out the work of this Committee. Mr. Speaker, I would like to yield to the Chairman of the Franklin Delano Roosevelt Memorial Commission, our distinguished colleague from New York [Mr. KEOGH] who is leaving us at the end of this session, and who is in charge of this work. I think he might throw a little more light on it.

Mr. GROSS. Mr. Speaker, I shall be glad to yield to the gentleman from New York, but before I do let me say that I have no objection to a memorial for Franklin Delano Roosevelt. It is the mechanics of this that I am interested in. Up to this point, for the expenditure of the money already appropriated, we have gotten no results at all, so far as I know. I should like to hear the explanation of the distinguished gentleman from New York, and I yield to him for that purpose.

Mr. KEOGH. Mr. Speaker, I appreciate very much the gentleman from Iowa yielding to me. I think you might recall that the $25,000 authorization and appropriation was contained in a resolution which was an amendment to a resolution brought in by the Commission, and the amended resolution provided that the Commission do a number of things. The first was to determine whether the Fine Arts Commission of the District of Columbia would approve the prize-winning design, or, in the alternative, whether the prize-winning design could be modified in order to accommodate the views of the Fine Arts Commission. It was for those purposes that the $25,000 was authorized in the amended resolution, and later appropriated.

This amount, has, however, been expended by the Commission doing exactly what the Congress mandated us to do. But we are in this unfortunate situation at the moment: we are absolutely "stone broke," as the saying goes, and we have to do something because, Mr. Speaker, as the distinguished gentleman from Iowa has so well said—and I appreciate his viewpoint because I welcome his support at all times—that an appropirate memorial for the late great President is in order.

All we are asking you to do now is to authorize this $100,000.

We have already justified, we hope successfully, to the Appropriations Committee, items totaling only $20,000 of this $100,000, and with that $20,000 we hope to reactivate the Commission. We hope, therefore, to be able to come to the Congress with a design appropriate to the memory of the great man that will meet the approval of those who have a justifiable interest in it, and, Mr. Speaker, if I may parenthetically insert, including those self-appointed art experts that we have in the House of Representatives that we did not know we had until the

amended resolution was before the Congress. We hope to do all of that, and we hope to do it expeditiously. And we thought, in line with the gentleman's observations in connection with the bill that was on the Consent Calendar just a moment ago which he described, and I suspect somewhat accurately, that it would do no harm, it might do no good, but it has cost the Government something to process that bill—we thought by coming in here with an authorization of $100,000, getting the $20,000 to start operating, we would not have to take up the time of the House any further.

Mr. GROSS. The gentleman has made such an appealing argument that it leaves me almost speechless. I would add only this, that I hope we will get better results for the further expenditure of the money than we have had in the past.

Mr. KEOGH. Mr. Speaker, if the gentleman will yield just a moment further, I join implicitly with him in that last hope. But I would also like to express the opinion, perhaps differently from what otherwise might be said, that the gentleman from Iowa does such a full and complete job in all of his undertakings that I hope he is never rendered speechless.

Mr. GROSS. Mr. Speaker, I thank the gentleman and withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 9495

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution entitled "To direct the Franklin Delano Memorial Commission to consider possible changes in the winning design for the proposed memorial or the selection of a new design for such memorial", approved October 18, 1962 (76 Stat. 1079), is amended by striking the words "not later than June 30, 1963" following the word "President" in section 2 and inserting a period, and by striking "$25,000" from section 3 and substituting "$125,000".

With the following committee amendment:

Page 1, line 4, insert the word "Roosevelt" immediately following the word "Delano".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NORFOLK NAVAL SHIPYARD EMPLOYEES

The Clerk called the bill (H.R. 7446) for the relief of certain civilian employees and former civilian employees of the Department of the Navy at the Norfolk Naval Shipyard, Portsmouth, Va.

There being no objection the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) each civilian employee and former civilian employee of the Department of the Navy at the Norfolk Naval Shipyard, Portsmouth, Virginia, who was determined by the Comptroller General to have received any overpayment of compensation for the period from March 1, 1953, to January 29, 1965, inclusive, or any portion or portions of such period, resulting from a longevity step increase or increases granted to him through administrative error at such shipyard (which employees are named and the amount of overpayments made to them are set forth in the list appearing in file B–154699 of the Comptroller General), is hereby relieved of all liability to refund to the United States the amount of all such overpayments (including overpayments of night differential, holiday, and overtime premium pay) made to him. Each such employee or former employee who has at any time made any repayment to the United States on account of any such overpayments made to him (or, in the event of his death, the person who would be entitled thereto under the first section of the Act of August 3, 1950 (50 U.S.C. 61f), if any such repayment or repayments were unpaid compensation) shall be entitled to have an amount equal to all such repayments made by him refunded if application therefor is made to the Secretary of the Navy within two years after the date of enactment of this Act.

(b) For purposes of the Civil Service Retirement Act and the Federal Employees' Group Life Insurance Act of 1954, each overpayment for which liability is relieved by subsection (a) of this section shall be deemed to have been a valid payment.

SEC. 2. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States full credit shall be given for any amounts for which liability is relieved by the first section of this Act.

SEC. 3. Appropriations available for the pay of civilian employees of the Department of the Navy shall be available for refunds provided for in the last sentence of the first section of this Act.

With the following committee amendment:

Page 3, following line 4, insert:

"SEC. 4. No part of an amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with a claim paid under the authority of this Act, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING REQUIREMENTS RELATING TO LUMBER

The Clerk called the bill (H.R. 10198) to amend the requirements relating to lumber under the Shipping Act, 1916.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 18(b)(1) of the Shipping Act, 1916 (46 U.S.C. 817(b)(1)), is amended by inserting before the word "lumber" wherever it appears in this section the word "softwood."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REAL PROPERTY CONVEYED TO STATE OF CALIFORNIA

The Clerk called the bill (H.R. 1582) to provide for the conveyance of certain real property to the State of California.

There being no objection, the Clerk read the bill, as follows:

H.R. 1582

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce is authorized and directed to convey to the State of California, without monetary consideration therefor, all the right, title, and interest of the United States in and to that portion of the Morro Rock Lighthouse Reservation which was conditionally conveyed to such State by the Secretary under the first section of the Act entitled "An Act to authorize the Secretary of Commerce to dispose of certain lighthouse reservations, and for other purposes", approved May 28, 1935 (49 Stat. 305), notwithstanding any conditions or limitations imposed by the first section or section 36 of such Act of May 28, 1935, or by the deed of conveyance issued thereunder.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the last sentence of section 36 of the Act entitled 'An Act to authorize the Secretary of Commerce to dispose of certain lighthouse reservations, and for other purposes,' approved May 28, 1935 (49 Stat. 311), shall not apply with respect to that portion of the Morro Rock Lighthouse Reservation which was conditionally conveyed to the State of California on August 17, 1935, by the Secretary of Commerce under such Act of May 28, 1935.

"SEC. 2. The Administrator of General Services is authorized and directed to issue to the State of California, without monetary consideration therefor, such written instruments as may be necessary to carry out the provisions of the first section of this Act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed.

The title was amended so as to read: "A bill to remove a restriction on certain real property heretofore conveyed to the State of California."

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. This ends the call of the eligible bills on the Consent Calendar.

TO AMEND THE FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to return for immediate consideration to Consent Calendar No. 197, the bill (S. 1516) to amend the Federal Property and Administrative Services Act of 1949, as amended, so as to authorize the Administrator of General Services to enter into contracts

for the inspection, maintenance, and repair of fixed equipment in federally owned buildings for periods not to exceed 5 years, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

Mr. JOHNSON of Pennsylvania. Mr. Speaker, reserving the right to object, I would like to interrogate the gentleman on this bill. Is the gentleman ready?

Mr. BROOKS. If the gentleman will yield, I am always ready and desirous of being whatever help I can to the gentleman from Pennsylvania.

Mr. JOHNSON of Pennsylvania. I thank the gentleman.

My question is: This bill extends the power of the Government to extend the contract for 3 years for the repairing of public buildings and the remodeling of the same. Now that we will have a longer contract involving more money, will this be a negotiated contract or will it be one which will require bids from the contractors?

Mr. BROOKS. If the gentleman will yield further, I do not know the exact nature of the type of contract to be finally entered into, but I would say that this legislation is recommended by the GSA and it passed the Senate unanimously and was passed by the House Government Operations Subcommittee on which the gentleman from Illinois [Mr. RUMSFELD] serves as an able member and was passed by the full committee. Essentially it allows the GSA to extend the contract period from 1 year to 3 years. They requested 5 years. We thought 3 years would be adequate.

Its purposes are essentially to enable them to obtain economic bids in contracts for fixed equipment such as elevators, air conditioning, and that type of equipment. That is the basis of the legislation. I would hope that the contract would be on a bid basis. Most of them are.

I do not believe there is any prohibition with reference to a negotiated contract written into the legislation.

Mr. JOHNSON of Pennsylvania. Then, the gentleman from Texas actually does not know whether going into a 3-year period and calling for more money on contracts which will be much larger will be subject to an advertised bid or not; is that right?

Mr. BROOKS. It would be subject to the same regulations that all other contracts are subjected to. I do not have that file with me which would indicate to me the exact procedure under which bids are let and contracts entered into. But I would say that the legislation was designed not to give anyone any special prerogatives but to save money and to give the Government more service for less money. Under a 1-year contract people will sometimes bid very low, when the maintenance is low.

Later when we have higher maintenance costs for use of the equipment over a period of years, the contract costs go up substantially. If we can have this on a 3-year basis it was the belief of the GSA Administrator we would spend less money; it would be a more economical way to operate, and one in keeping with the better practices of business operations.

Mr. JOHNSON of Pennsylvania. I thank the gentleman. I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

S. 1516

An Act to amend the Federal Property and Administrative Services Act of 1949, as amended, so as to authorize the Administrator of General Services to enter into contracts for the inspection, maintenance, and repair of fixed equipment in federally owned buildings for periods not to exceed five years, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 210(a) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(a)), is further amended (1) by striking out the word "and" where it last appears in subsection (12) thereof; (2) by striking out the period at the end of subsection (13) thereof, and inserting in lieu thereof a semicolon and the word "and"; and (3) by adding the following new subsection at the end of such section 210(a):

"(14) to enter into contracts for periods not exceeding five years for the inspection, maintenance, and repair of fixed equipment in such buildings which are federally owned."

Amend the title so as to read: "An Act to amend the Federal Property and Administrative Services Act of 1949, as amended, so as to authorize the Administrator of General Services to enter into contracts for the inspection, maintenance, and repair of fixed equipment in federally owned buildings for periods not to exceed three years, and for other purposes."

With the following committee amendment:

On page 2, line 5, delete "five" and insert in lieu thereof "three".

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended to read as follows:

"An Act to amend the Federal Property and Administrative Services Act of 1949, as amended, so as to authorize the Administrator of General Services to enter into contracts for the inspection, maintenance, and repair of fixed equipment in federally owned buildings for periods not to exceed three years, and for other purposes."

A motion to reconsider was laid on the table.

ESTABLISHMENT OF THE ROGER WILLIAMS NATIONAL MEMORIAL IN THE CITY OF PROVIDENCE, R.I.

The SPEAKER pro tempore. Under previous order of the House, the Clerk will report the title of S. 1855.

Mr. GROSS. Mr. Speaker, is this subject to unanimous consent?

The SPEAKER pro tempore. It was by unanimous consent placed at the end of the calendar.

Mr. GROSS. I did not hear any unanimous-consent request about placing it at the foot of the calendar. It was moved to the foot of the calendar.

Mr. BOLAND. As I understand it, I did request unanimous consent to place it at the end of the calendar.

Mr. GROSS. The Senate bill? We have no Senate bill before the House.

Mr. BOLAND. No; but I asked unanimous consent that the bill be placed at the end of the calendar.

The SPEAKER pro tempore. The Chair stated that without objection the Senate bill 1855 would be placed at the end of the calendar, inasmuch as a similar House bill had already been passed. The Chair understands an amendment will be offered to the Senate bill making it conform to the House bill.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. BOGGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 351]

Abbitt	Ford, William D.	Moeller
Anderson, Ill.	Frelinghuysen	Morse
Andrews, George W.	Fulton, Tenn.	Murray
Arends	Gilligan	Nix
Ashbrook	Grabowski	O'Hara, Ill.
Aspinall	Greigg	O'Neill, Mass.
Bates	Grider	Passman
Battin	Griffin	Pepper
Bolling	Grover	Philbin
Bolton	Gurney	Pool
Bonner	Hall	Quillen
Bow	Halleck	Race
Burton, Utah	Hanley	Reinecke
Byrnes, Wis.	Hansen, Wash.	Rhodes, Ariz.
Cahill	Hardy	Rivers, Alaska
Callaway	Harsha	Rivers, S.C.
Chamberlain	Harvey, Ind.	Rostenkowski
Clancy	Hawkins	Roybal
Clark	Hays	St Germain
Clausen, Don H.	Hébert	Scheuer
Cleveland	Herlong	Schisler
Clevenger	Holifield	Schneebeli
Colmer	Holland	Shipley
Conte	Horton	Sickles
Corbett	Hosmer	Sikes
Corman	Huot	Smith, Calif.
Cramer	Hutchinson	Smith, Iowa
Curtis	Irwin	Springer
Davis, Wis.	Karsten	Stafford
Denton	Keith	Sweeney
Devine	King, N.Y.	Teague, Calif.
Dickinson	Lindsay	Teague, Tex.
Diggs	Long, La.	Thomas
Dingell	McCulloch	Thompson, Tex.
Donohue	McDade	Toll
Dorn	McDowell	Utt
Dulski	McMillan	Vanik
Dwyer	Macdonald	Watkins
Evins, Tenn.	Mackay	Whalley
Farnum	Madden	Willis
Findley	Martin, Ala.	Wyatt
Flynt	Martin, Mass.	Wydler
Ford, Gerald R.	Martin, Nebr.	Yates
	May	Younger
	Miller	

The SPEAKER pro tempore. On this rollcall 302 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. VAN DEERLIN. Mr. Speaker, I ask unanimous consent that the Com-

mittee on Interstate and Foreign Commerce may conduct hearings this afternoon during general debate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

ROGER WILLIAMS NATIONAL MEMORIAL

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to strike out all after the enacting clause of S. 1855 and substitute the language of the House bill that was passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

Mr. GROSS. Mr. Speaker, I object.

EXTEND TIME PERIOD FOR CERTAIN ANNUITY INCREASES

Mr. DANIELS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 11303) to amend section 18 of the Civil Service Retirement Act, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 18 of the Civil Service Retirement Act, as amended (5 U.S.C. 2268), is further amended by adding the following new subsection (f):

"(f) Each annuity payable from the civil service retirement and disability fund (other than the immediate annuity of an annuitant's survivor or of a child entitled under section 10(d)) which has a commencing date after December 1, 1965, but not later than December 31, 1965, shall be increased from its commencing date as if the annuity commencing date were December 1, 1965."

SEC. 2. The provisions under the heading "CIVIL SERVICE RETIREMENT AND DISABILITY FUND" in title I of the Independent Offices Appropriation Act, 1959 (72 Stat. 1064; Public Law 85–844), shall not apply with respect to benefits resulting from the enactment of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PRIVATE CALENDAR

The SPEAKER pro tempore. This is the day for the call of the Private Calendar. The Clerk will call the first individual bill on the Private Calendar.

BENJAMIN A. RAMELB

The Clerk called the bill (S. 149) for the relief of Benjamin A. Ramelb.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

LT. COL. WILLIAM T. SCHUSTER, U.S. AIR FORCE, RETIRED

The Clerk called the bill (S. 919) for the relief of Lt. Col. William T. Schuster, U.S. Air Force, retired.

Mr. GROSS. Mr. Speaker, on behalf of the gentleman from Missouri [Mr. HALL] I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

DR. OTTO F. KERNBERG

The Clerk called the bill (S. 1012) for the relief of Dr. Otto F. Kernberg.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the periods of time Doctor Otto F. Kernberg has resided in the United States since August 16, 1959, shall be held and considered to meet the residence and physical presence requirements of section 316 of the Immigration and Nationality Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELIGIO CIARDIELLO

The Clerk called the bill (H.R. 1918) for the relief of Eligio Ciardiello.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

MRS. CLARA W. DOLLAR

The Clerk called the bill (S. 1873) for the relief of Mrs. Clara W. Dollar.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Mrs. Clara W. Dollar, of Atlanta, Georgia, is hereby relieved of all liability for repayment to the United States of the sum of $629.35, representing overpayments of compensation she received as an employee of the Federal National Mortgage Association for the period from March 25, 1956, through October 28, 1961, such overpayments having been made as a result of administrative error in establishing her salary rate when she was promoted from grade GS–3, longevity step 3, to grade GS–4, longevity step 2, in violation of the limitations prescribed in section 802 (b) of the Classification Act of 1949, as amended. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay out of any money in the Treasury not otherwise appropriated, to the said Mrs. Clara W. Dollar, the sum of any amounts received or withheld from her on account of the overpayments referred to in the first section of this Act: *Provided,* That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ARTHUR HILL

The Clerk called the bill (H.R. 6590) for the relief of Arthur Hill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Arthur Hill of Hayward, California, is hereby relieved of liability to the United States in the amount of $2,622.49, the amount of an overpayment of his salary as an employee of the Post Office Department in the period beginning December 5, 1961, and ending January 26, 1965, because of an administrative error. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for any amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to said Arthur Hill, an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, in complete or partial satisfaction of the liability to the United States specified in the first section. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 4, strike "$2,622.49", and insert in lieu thereof "$2,854.70".

Page 1, lines 6 and 7, strike "in the period beginning December 5, 1961, and ending January 26, 1965," and insert in lieu thereof "for the period December 9, 1961 to January 1, 1965,".

Page 2, line 8, strike "in excess of 10 per centum thereof".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOSEPH B. STEVENS

The Clerk called the bill (H.R. 10338) for the relief of Joseph B. Stevens.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Joseph B. Stevens, of Warner Robins, Georgia, is relieved of liability to pay to the United States the sum of $1,256.78, representing the

amount of salary overpayment received by him from the Department of the Air Force in the years 1958 through 1962, due to administrative error and without fault on his part. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this section.

SEC. 2. The Secretary of the Treasury shall pay, out of any money in the Treasury not otherwise appropriated, to Joseph B. Stevens, of Warner Robins, Georgia, the sum certified to him by the Secretary of the Air Force as the aggregate of amounts paid to the United States by Joseph B. Stevens and amounts withheld by the United States from sums otherwise due him from the United States, on account of the liability referred to in the first section of this Act. No part of the amount appropriated in this section shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of the preceding sentence shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, lines 6 and 7, strike "in the years 1958 through 1962" and insert "for the period from February 23, 1958, through October 20, 1962".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. MARIA FINOCCHIARO

The Clerk called the bill (H.R. 4211) for the relief of Mrs. Maria Finocchiaro.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

ENZO (ENZIO) PEROTTI

The Clerk called the bill (H.R. 4926) for the relief of Enzo (Enzio) Perotti.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

S. SGT. ROBERT E. MARTIN, U.S. AIR FORCE (RETIRED)

The Clerk called the bill (H.R. 8829) for the relief of S. Sgt. Robert E. Martin, U.S. Air Force (retired).

There being no objection, the Clerk read the bill, as follows:

H.R. 8829

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Staff Sergeant Robert E. Martin, AF 21915969, United States Air Force (retired), Dania, Florida, the sum of $5,269.20 in full satisfaction of his claim against the United States for reimbursement in addition to the amount he received under section 2732 of title 10, United States Code, for household goods and personal effects lost on or about August 20, 1962, in New York, New York, as a result of theft from a parked van of the Washburn Storage Company, Macon, Georgia, while the property was being transported under a Government contract. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EDWARD F. MURZYN AND EDWARD J. O'BRIEN

The Clerk called the bill (H.R. 10403) for the relief of Edward F. Murzyn and Edward J. O'Brien.

There being no objection, the Clerk read the bill, as follows:

H.R. 10403

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edward F. Murzyn, the sum of $7,615, and to Edward J. O'Brien, the sum of $6,903.41. The payment of such sums shall be in full settlement of all claims of the said Edward F. Murzyn and Edward J. O'Brien against the United States growing out of a fire on August 17, 1963, in a commercial warehouse located in Alexandria, Virginia, and operated by Columbia Van Lines and Meeks Transfer Company: *Provided,* That no part of the money appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COL. DONALD J. M. BLAKESLEE AND LT. COL. ROBERT E. WAYNE, U.S. AIR FORCE

The Clerk called the bill (H.R. 10405) for the relief of Col. Donald J. M. Blakeslee and Lt. Col. Robert E. Wayne, U.S. Air Force.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay to the following-named officers of the United States Air Force, out of any amounts not otherwise appropriated, the sums indicated after each of their names, respectively: Colonel Donald J. M. Blakeslee, 9362A, $2,190.75; and Lieutenant Colonel Robert E. Wayne, 17397A, $1,419.75. The payment authorized in this Act is in full satisfaction of the claim of each of these officers against the United States for reimbursement in addition to the amount he received under section 2732 of title 10, United States Code, for household goods and personal effects destroyed as a result of a fire of undetermined origin on June 18, 1963, at the Jones Warehouse Corporation (formerly Colony Van and Storage Company, Incorporated) warehouse, Norfolk, Virginia, while the property was stored in the warehouse under a Government contract. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with any of these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LT. COL. JACK F. OREND

The Clerk called the bill (H.R. 4911) for the relief of Lt. Col. Jack F. Orend.

There being no objection, the Clerk read the bill, as follows:

H.R. 4911

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lieutenant Colonel Jack F. Orend (Army serial number O1585988), of Fort Lee, Virginia, the sum of $15,323, in full settlement of all his claims against the United States arising out of the destruction of his household goods and personal effects on August 7, 1964, in Richmond, Virginia, which were being stored by the Department of the Army during his change of station from Orleans, France, to Fort Lee, Virginia. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 7: Strike "$15,323" and insert "$7,577.64".

Page 2, line 2: Strike "in excess of 10 per centum thereof".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DUTY-FREE ENTRY OF MASS SPECTROMETER FOR STANFORD UNIVERSITY

The Clerk called the bill (H.R. 1317) to provide for the free entry of a mass

spectrometer which was imported during May 1963 for the use of Stanford University, Stanford, Calif.

There being no objection, the Clerk read the bill, as follows:

H.R. 1317

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of the Treasury is authorized and directed to admit free of duty the mass spectrometer imported for the use of Stanford University, Stanford, California, which was entered during May 1963, pursuant to Consumption Entry 3970.

(b) If the liquidation of the entry of the article described in subsection (a) has become final, such entry shall be reliquidated and the appropriate refund of duty shall be made.

With the following committee amendments:

Page 1, line 4, after "spectrometer" insert "(including all accompanying equipment, parts, accessories, and appurtenances)."

Page 1, line 8, strike out "the" where it appears the third time and insert "any".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DUTY-FREE ENTRY OF MASS SPECTROMETER FOR POMONA COLLEGE

The Clerk called the bill (H.R. 1386) to provide for the free entry of one mass spectrometer for the use of Pomona College.

There being no objection, the Clerk read the bill, as follows:

H.R. 1386

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to admit free of duty one mass spectrometer for the use of Pomona College, Claremont, California.

SEC. 2. If the liquidation of the entry of any article described in the first section of this Act has become final, such entry shall be reliquidated and the appropriate refund of duty shall be made.

With the following committee amendments:

Page 1, line 4, after "spectrometer" insert "(including all accompanying equipment, parts, accessories, and appurtenances)".

Page 1, line 6, strike out "the" where it appears the third time and insert "any".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DUTY-FREE ENTRY OF MASS SPECTROMETER FOR UNIVERSITY OF WASHINGTON

The Clerk called the bill (H.R. 3126) to provide for the free entry of one mass spectrometer for the University of Washington.

There being no objection, the Clerk read the bill, as follows:

H.R. 3126

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to admit free of duty one mass spectrometer for the use of the University of Washington.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That (a) the Secretary of the Treasury is authorized and directed to admit free of duty one mass spectrometer (including all accompanying equipment, parts, accessories, and appurtenances) for the use of the University of Washington.

"(b) If the liquidation of the entry of any article described in subsection (a) has become final, such entry shall be reliquidated and the appropriate refund of duty shall be made."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DUTY-FREE ENTRY OF MASS SPECTROMETER FOR ST. LOUIS UNIVERSITY

The Clerk called the bill (H.R. 4832) to provide for the free entry of a mass spectrometer for the use of St. Louis University.

There being no objection, the Clerk read the bill, as follows:

H.R. 4832

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to admit free of duty one mass spectrometer for the use of Saint Louis University, Saint Louis, Missouri.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That (a) the Secretary of the Treasury is authorized and directed to admit free of duty one mass spectrometer (including all accompanying equipment, parts, accessories, and appurtenances) for the use of Saint Louis University, Saint Louis, Missouri.

"(b) If the liquidation of the entry of any article described in subsection (a) has become final, such entry shall be reliquidated and the appropriate refund of duty shall be made."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DUTY-FREE ENTRY OF MASS SPECTROGRAPH

The Clerk called the bill (H.R. 6906) to provide for the free entry of one mass spectrometer and one split pole spectrograph for the use of the University of Rochester, Rochester, N.Y.

There being no objection, the Clerk read the bill, as follows:

H.R. 6906

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of the Treasury is authorized and directed to admit free of duty one mass spectrometer and one split pole spectrograph for the use of the University of Rochester, Rochester, New York.

(b) If the liquidation of the entry of any article described in subsection (a) of this section has become final, such entry shall be reliquidated and the appropriate refund of duty shall be made.

With the following committee amendments:

Page 1, line 4, after "spectrometer" insert "(including all accompanying equipment, parts, accessories, and appurtenances)".

Page 1, line 5, after "spectrograph" insert "(including all accompanying equipment, parts, accessories, and appurtenances)".

The committee amendments were agreed to.

AMENDMENT BY MR. KARSTEN

Mr. KARSTEN. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KARSTEN: Page 1, lines 7 and 8, strike out "appurtenance" and insert "appurtenances".

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DUTY-FREE ENTRY OF MASS SPECTROMETER-GAS CHROMATOGRAPH

The Clerk called the bill (H.R. 8232) to provide for the free entry of one mass spectrometer-gas chromatograph for the use of Oklahoma State University, Stillwater, Okla.

There being no objection, the Clerk read the bill, as follows:

H.R. 8232

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of the Treasury is authorized and directed to admit free of duty a mass spectrometer-gas chromatograph for the use of Oklahoma State University.

(b) If the liquidation of the entry of the article described in subsection (a) has become final, such entry shall be reliquidated and the appropriate refund of duty shall be made.

With the following committee amendment:

Page 1, line 5, after "matograph" insert "(including all accompanying equipment, parts, accessories, and appurtenances)".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DUTY-FREE ENTRY OF MULTIGAP MAGNETIC SPECTROGRAPH

The Clerk called the bill (H.R. 9903) to provide for the free entry of one

multigap magnetic spectrograph for the use of Yale University.

There being no objection, the Clerk read the bill, as follows:

H.R. 9903

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to admit free of duty one multigap magnetic spectrograph for the use of Yale University.

SEC. 2. The first section of this Act shall apply to the article described therein whether such article was entered before the date of the enactment of this Act or entered on or after such date. If such article was entered before such date, the entry involved shall, notwithstanding the provisions of section 514 of the Tariff Act of 1930 or any other provision of law, be liquidated or reliquidated in accordance with the provisions of this Act, and the appropriate refund of duty shall be made.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That (a) the Secretary of the Treasury is authorized and directed to admit free of duty one multigap magnetic spectrograph (including all accompanying equipment, parts, accessories, and appurtenances) for the use of Yale University.

"(b) If the liquidation of the entry of any article described in subsection (a) has become final, such entry shall be reliquidated and the appropriate refund of duty shall be made."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MASS SPECTROMETER FOR UNIVERSITY OF CHICAGO

The Clerk called the bill (H.R. 2565) to provide for the free entry of one mass spectrometer for the use of the University of Chicago.

There being no objection, the Clerk read the bill, as follows:

H.R. 2565

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to admit free of duty one mass spectrometer for the use of the University of Chicago.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That (a) the Secretary of the Treasury is authorized and directed to admit free of duty one mass spectrometer (including all accompanying equipment, parts, accessories, and appurtenances) for the use of the University of Chicago.

"(b) If the liquidation of the entry of any article described in subsection (a) has become final, such entry shall be reliquidated and the appropriate refund of duty shall be made."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SPECTROGRAPH FOR UNIVERSITY OF PITTSBURGH

The Clerk called the bill (H.R. 6666) to provide for the free entry of a 90-centimeter split-pole magnetic spectrograph system with orange-peel internal conversion spectrometer attached for the use of the University of Pittsburgh.

There being no objection, the Clerk read the bill, as follows:

H.R. 6666

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to admit free of duty one ninety-centimeter split-pole magnetic spectrograph system with orange-peel internal conversion spectrometer attached for the use of the University of Pittsburgh, Pittsburgh, Pennsylvania.

With the following committee amendments:

Page 1, line 3, after "That" insert "(a)".

Page 1, after line 7, insert:

"(b) If the liquidation of the entry of any article described in subsection (a) has become final, such entry shall be reliquidated and the appropriate refund of duty shall be made."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ISOTOPE SEPARATOR FOR PRINCETON UNIVERSITY

The Clerk called the bill (H.R. 8272) to provide for the free entry of an isotope separator for the use of Princeton University, Princeton, N.J.

There being no objection, the Clerk read the bill, as follows:

H.R. 8272

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of the Treasury is authorized and directed to admit free of duty the isotope separator (and its accompanying equipment) imported for the use of Princeton University, Princeton, New Jersey, during June 1964, as a machine not specially provided for, pursuant to consumption entry 1062984.

(b) If the liquidation of the entry of the articles described in subsection (a) has become final, such entry shall be reliquidated and the appropriate refund of duty shall be made.

With the following committee amendments:

Page 1, line 5, strike out "equipment" and insert "equipment, parts, accessories, and appurtenances".

Page 1, beginning in line 6, strike out "1964, as a machine not specially provided for, pursuant to consumption entry 1062984." and insert "1964."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHOY-SIM MAH

The Clerk called the bill (S. 322) for the relief of Choy-Sim Mah.

There being no objection, the Clerk read the bill, as follows:

S. 322

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Choy-Sim Mah, the widow of Poi Wong, a citizen of the United States, shall be held and considered to be within the purview of section 101(a)(27)(A) of that Act and the provisions of section 205 of the said Act shall not be applicable in this case.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PARIDE MARCHESAN

The Clerk called the bill (S. 343) for the relief of Paride Marchesan.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

HENRYKA LYSKA

The Clerk called the bill (S. 779) for the relief of Henryka Lyska.

There being no objection, the Clerk read the bill, as follows:

S. 779

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Henryka Lyska may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of that Act, and a petition may be filed in behalf of the said Henryka Lyska by Mr. and Mrs. Stanley Lyska, citizens of the United States, pursuant to section 205(b) of the Immigration and Nationality Act subject to all the conditions in that section relating to eligible orphans.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VASILEOS KOUTSOUGEANOPOULOS

The Clerk called the bill (S. 1397) for the relief of Vasileos Koutsougeanopoulos.

There being no objection, the Clerk read the bill, as follows:

S. 1397

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Vasileos Koutsougeanopoulos may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of that Act, and a petition may be filed in behalf of the said Vasileos Koutsougeanopoulos by Mr. and Mrs. Paul Apostle, citizens of the United States, pursuant to section 205(b) of the Immigration and Nationality Act subject to all the conditions in that section relating to eligible orphans.

The bill was ordered to be read a third time, was read the third time, and passed,

and a motion to reconsider was laid on the table.

ERICH GRANSMULLER

The Clerk called the bill (S. 1775) for the relief of Erich Gransmuller.

There being no objection, the Clerk read the bill, as follows:

S. 1775

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of the Immigration and Nationality Act, the periods of time Erich Gransmuller has resided and was physically present in the United States or any State since October 17, 1957, shall be held and considered as compliance with the residence and physical presence requirement of section 316 of said Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FAVORING THE SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

The Clerk called Senate Concurrent Resolution 49.

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent that the Senate concurrent resolution be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

EMILIA D'ADDARIO SANTORELLI

The Clerk called the bill (H.R. 2768) for the relief of Emilia D'addario Santorelli.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

JUANITA CEREGUINE DE BURGH

The Clerk called the bill (H.R. 3689) for the relief of Juanita Cereguine de Burgh.

There being no objection, the Clerk read the bill, as follows:

H.R. 3689

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Juanita Cereguine de Burgh shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, the Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bond, which may have issued in the case of Juanita Cereguine de Burgh. From and after the date of the enactment of this Act, the said Juanita Cereguine de Burgh shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. PANAGIOTA VASTAKIS AND SOTEROS VASTAKIS

The Clerk called the bill (H.R. 3875) for the relief of Mrs. Panagiota Vastakis and Soteros Vastakis.

There being no objection, the Clerk read the bill, as follows:

H.R. 3875

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Mrs. Panagiota Vastakis and Soteros Vastakis shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct two numbers from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, Mrs. Panagiota Vastakis and Soteros Vastakis, the widow and son, respectively, of a United States citizen, shall be deemed to be within the purview of section 101(a)(27)(A) of the Immigration and Nationality Act, and the provisions of section 205 of that Act shall not be applicable in their cases."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RALPH TIGNO EDQUID

The Clerk called the bill (H.R. 4743) for the relief of Ralph Tigno Edquid.

There being no objection, the Clerk read the bill, as follows:

H.R. 4743

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Ralph Tigno Edquid shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, in the administration of the Immigration and Nationality Act, Ralph Tigno Edquid may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Lieutenant and Mrs. Arthur Edquid, a citizen and lawfully resident alien, respectively, of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JACK RALPH WALKER

The Clerk called the bill (H.R. 5231) for the relief of Jack Ralph Walker.

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

EMPLOYEES OF THE MOUNT EDGECUMBE BOARDING SCHOOL, ALASKA

The Clerk called the bill (S. 611) for the relief of certain employees of the Mount Edgecumbe Boarding School, Alaska.

There being no objection, the Clerk read the bill, as follows:

S. 611

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following named persons are hereby relieved of all liability for repayment to the United States of the respective amounts listed below, representing overpayments of salary which they received as wage board employees at the Mount Edgecumbe Boarding School, Mount Edgecumbe, Alaska, for the period from July 1, 1962, through January 5, 1963, as a result of administrative error in determining their salary rates upon their reassignment to lower grade positions when the feeding program at such school was transferred from the United States Public Health Service to the Bureau of Indian Affairs: (1) Terry M. Finch, $892.56; (2) Peter P. Jones, $516.40; (3) Helmut Langfeldt, $531.60; (4) Rudolph L. Larsen, $520.32; (5) Francisco Lazanas, $1,162.32; (6) George K. Miyasato, $1,162.32; (7) Richard N. Williams, $417.84; and (8) Eddie J. Padden, $144.00. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the respective amounts for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to each employee referred to in the first section of this Act, the sum of any amounts received or withheld from such employee on account of the overpayments referred to in such section.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. HERTHA L. WOHLMUTH

The Clerk called the bill (S. 711) for the relief of Mrs. Hertha L. Wohlmuth.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

HARRY C. ENGLE

The Clerk called the bill (H.R. 1240) for the relief of Harry C. Engle.

There being no objection, the Clerk read the bill as follows:

H.R. 1240

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Harry C. Engle, of Springfield, Ohio, is relieved of all liability to refund to the United States the sum of $623.56, representing an overpayment of salary for the period December 30, 1962, through June 13, 1964, due to an administrative error by the United States Air Force. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Harry C. Engle, the sum of any amounts received or withheld from him on account of the payment referred to in the first section of this Act. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ERNEST J. CARLIN

The Clerk called the bill (H.R. 2303) for the relief of Ernest J. Carlin.

There being no objection, the Clerk read the bill, as follows:

H.R. 2303

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ernest J. Carlin of Montrose, Pennsylvania, the sum of $343.14. The payment of such sum shall be in full settlement of all claims of the said Ernest J. Carlin against the United States for compensation for one hundred and thirty-three hours of leave accumulated by him over the period November 14, 1959, through January 4, 1963, while employed in the United States post office in Montrose, Pennsylvania, which, through administrative error, were not credited to his leave account. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Strike all after the enacting clause and insert:

"That in the administration of the annual leave account of Ernest J. Carlin, postal employee of Montrose, Pennsylvania, there shall be added a separate account of one hundred and thirty-three hours of annual leave, in full settlement of all claims of the said Ernest J. Carlin against the United States for compensation for the loss of such leave which was earned by him in the period November 14, 1959, through January 4, 1963, while he was employed in the United States post office in Montrose, Pennsylvania, and which, through administrative error, was not credited to his leave account.

"SEC. 2. Section 203(c) of the Annual and Sick Leave Act of 1951, as amended (65 Stat. 680, 67 Stat. 137; 5 U.S.C. 2062(c)) shall not apply with respect to the leave granted by this Act, and such leave likewise shall not affect the use or accumulation, pursuant to applicable law, of other annual leave earned by the said Ernest J. Carlin. None of the leave granted by this Act shall be settled by means of a cash payment in the event such leave or part thereof remains unused at the time the said Ernest J. Carlin is separated by death or otherwise from the Federal Service."

The committee amendment was agreed to.

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. MCDADE] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MCDADE. Mr. Speaker, this bill which has been placed before the House, H.R. 2303, for the relief of Mr. Ernest J. Carlin, is a bill presented to correct a most unfortunate injustice. It is an injustice that arose out of an administrative error on the part of the Post Office Department—an error which cannot be corrected administratively, but may only be corrected through legislative relief.

During the period of time between November 14, 1959, through January 4, 1963, Mr. Carlin was employed in the U.S. post office in Montrose, Pa. For each pay period during that time he was entitled to 6 hours of annual leave. In actual fact, however, he was credited with only 4 hours. The error was discovered too late to give Mr. Carlin credit for the leave which had been denied him because such credit would have exceeded the ceiling on accumulated annual leave. In a letter to me dated November 18, 1963, Mr. Harvey H. Hannah, Acting General Counsel for the Post Office Department, stated this situation, as follows:

I have now been advised that a review made of Mr. Carlin's records revealed that he was carried in an erroneous leave category. As a result of such error, he was not credited with a total of 180 hours which he would have earned during the period of 1959 through 1962. At the end of the 1962 leave year, Mr. Carlin had an actual balance of 201 hours of annual leave. His annual leave account has now been credited with an additional 39 hours to bring it up to the legal maximum of 240 hours (30 days) which may be carried over from leave year to leave year. This is the maximum which may be carried over pursuant to the Annual and Sick Leave Act of 1951, as amended, 5 U.S.C. 2062(c).

Because this error was an administrative error and because there was no administrative relief available, I pursued my inquiry into this case to discover what sort of recompense might be made to grant relief in this case. In answer to numerous inquiries on my part and on the part of the chairman of the Committee on the Judiciary, the gentleman from California [Mr. HANNA], on July 6, sent the following letter to my distinguished colleague, the Honorable EMANUEL CELLER, chairman, Committee on the Judiciary:

The Postmaster General has asked me to reply to your request for a report on H.R. 2303, which would authorize payment of $343.14 to Ernest J. Carlin, a postal employee, of Montrose, Pa. The sum paid would represent settlement of his claim against the Government for loss of annual leave for the period November 14, 1959, through January 4, 1963.

Our records show that Mr. Carlin, through administrative error, was for each pay period credited with only 4 hours of annual leave beginning in 1959 when he should have properly been credited with 6 hours. Though the leave records have been corrected, existing law (5 U.S.C. 2062(c)), which established a ceiling on accumulated annual leave, permitted us to recredit Mr. Carlin with only 39 hours of additional leave.

While we feel there is a definite need for general legislation granting agencies authority to correct administrative errors in cases of this kind, we also feel the application of the present law to the particular circumstances of Mr. Carlin's case has resulted in an inequity which can only be corrected by legislative action along the lines provided for in H.R. 2303.

In the present case the failure to credit Mr. Carlin with the full amount of annual leave to which he was entitled resulted solely from an administrative error, and since the error cannot be corrected administratively because of the statutory ceiling on the accumulation of annual leave, this Department would have no objection to the enactment of relief legislation for this employee. We do not, however, favor relief in the form of a cash payment because Mr. Carlin would not have received cash had the error not occurred.

We recommend that the measure be revised so as to credit the employee's leave account with the amount of annual leave due him as a result of the administrative error, but to prohibit a lump sum payment for any of the recredited leave which is not used when Mr. Carlin is separated from the postal service. The purpose of this amendment is to place Mr. Carlin in a position similar to that occupied by other employees who were properly credited with annual leave.

The Bureau of the Budget has advised that from the standpoint of the administration's program there is no objection to the submission of this report to the committee:

Mr. Speaker, it is clear, therefore, that Mr. Carlin has suffered an injustice in being deprived of his justly earned annual leave. It is clear that the injustice came about through an administrative error, not through any error on the part of Mr. Carlin. It is also clear that there is no administrative relief possible in this case, but only legislative relief. This bill will grant such legislative relief, not in the form of a cash payment, but by

crediting Mr. Carlin with the amount of annual leave due him as the result of the administrative error, and by prohibiting a lump sum payment for any of the recredited leave which is not used when Mr. Carlin is separated from the postal service.

It has long been the privilege of Congress to correct injustices that occasionally arise in the administration of our laws and regulations. It is my hope that the Congress will see the wisdom of granting justice in this case where it is indeed due, and will approve this bill to give Mr. Carlin the leave he earned, but which was erroneously denied him.

I wish to take this opportunity to thank my distinguished colleagues on the Committee of the Judiciary for reporting this bill favorably. I am happy that they see eye to eye with me in affirming the need for legislative relief for Mr. Ernest J. Carlin.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALBERT CARTER

The Clerk called the bill (H.R. 3537) for the relief of Albert Carter.

Mr. DAVIS of Georgia. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

DONALD F. FARRELL

The Clerk called the bill (H.R. 7667) for the relief of Donald F. Farrell.

There being no objection, the Clerk read the bill, as follows:

H.R. 7667

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $134.10 to Donald F. Farrell, of Stoughton, Massachusetts, in full settlement of his claims against the United States for the amount he paid in satisfaction of the judgment rendered against him on October 10, 1963, in the United States District Court for the District of Massachusetts in Civil Action No. 61–787–C, based upon an accident which occurred on January 30, 1961, in Brockton, Massachusetts, involving a Government car driven by the said Donald F. Farrell while performing his duties as an employee of the Geological Survey of the United States Department of the Interior. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

MARY F. THOMAS

The Clerk called the bill (H.R. 3758) for the relief of Mary F. Thomas.

Mr. DAVIS of Georgia. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

OSMUNDO CABIGAS

The Clerk called the bill (H.R. 5838) for the relief of Osmundo Cabigas.

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

CAPITAL TRANSIT LINES, INC., OF SALEM, OREG.

The Clerk called the bill (H.R. 10612) for the relief of Capital Transit Lines, Inc., of Salem, Oreg.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of subsection (c) (relating to time for filing claims) of section 6421 (relating to gasoline used for certain nonhighway purposes or by local transit systems) of the Internal Revenue Code of 1954, and any other bar to payment on the ground of a period of limitations or lapse of time, are hereby waived with respect to any claims filed within one year after the date of enactment of this Act by Capital Transit Lines, Incorporated, of Salem, Oregon, under subsection (b) of such section for gasoline used by it after December 31, 1958, and before July 1, 1961.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EDWIN F. HOWER

The Clerk called the bill (H.R. 5973) for the relief of Edwin F. Hower.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Edwin F. Hower, of College Park, Maryland, is hereby relieved of liability to the United States in the amount of $1,221.44, the amount of salary retention payments made to him, because of an administrative error, while he was an employee of the Department of the Interior in the period beginning May 10, 1961, and ending January 2, 1965. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for any amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to said Edwin F. Hower, an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, with respect to the liability to the United States specified in the first section. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, lines 7 and 8, strike "in excess of 10 per centum thereof".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANDERSON G. MATSLER, SENIOR MASTER SERGEANT, U.S. AIR FORCE, RETIRED

The Clerk called the bill (H.R. 10878) for the relief of Anderson G. Matsler, senior master sergeant, U.S. Air Force, retired.

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

BIBI DALJEET KAUR

The Clerk called the bill (H.R. 3905) for the relief of Bibi Daljeet Kaur.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Bibi Daljeet Kaur may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Rattan Singh Dhillon and Kartar Kaur Dhillon, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JENNIFER REBECCA SIEGEL

The Clerk called the bill (H.R. 8135) for the relief of Jennifer Rebecca Siegel.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the Immigration and Nationality Act, Jennifer Rebecca Siegel may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Stanley Siegel, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WINSTON LLOYD McKAY

The Clerk called the bill (H.R. 5213) for the relief of Winston Lloyd McKay.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Winston Lloyd McKay shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, in the administration of the Immigration and Nationality Act, Winston Lloyd McKay may be classified as an eligible orphan within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. William McKay, citizens of the United States, pursuant to section 205(b) of the Act, subject to all the conditions in that section relating to eligible orphans. The provisions of section 245(c) of the Immigration and Nationality Act shall be inapplicable in this case."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PIETER CORNELIS METZELAAR

The Clerk called the bill (H.R. 6655) for the relief of Pieter Cornelis Metzelaar.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Pieter Cornelis Metzelaar shall be held and considered to have complied with the provisions of section 316 of that Act as they relate to residence and physical presence.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PING-KWAN FONG

The Clerk called the bill (H.R. 6720) for the relief of Ping-Kwan Fong.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Ping-Kwan Fong shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 24, 1947.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANK E. LIPP

The Clerk called the bill (S. 1407) for the relief of Frank E. Lipp.

Mr. RUMSFELD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

PERMITTING THE VESSEL "LITTLE NANCY" TO BE DOCUMENTED FOR USE IN THE COASTWISE TRADE

The Clerk called the bill (H.R. 5217) to permit the vessel *Little Nancy* to be documented for use in the coastwise trade.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding section 27 of the Merchant Marine Act of 1920, as amended (46 U.S.C. 883), the vessel now known as the *Little Nancy* (ex-*Sea Boots*), owned by David L. Francis of Huntington, West Virginia, shall be entitled to be documented to engage in the fisheries and the coastwide trade upon compliance with the usual requirements, so long as such vessel is from the date of enactment of this Act continuously owned by a citizen of the United States. For the purposes of this Act, the term "citizen of the United States" includes corporations, partnerships, and associations, but only those which are citizens of the United States within the meaning of section 2 of the Shipping Act, 1916.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER pro tempore. This concludes the call of the Private Calendar.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore. The Chair lays before the House a communication, which the Clerk will read:

The Clerk read as follows:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 5, 1965.

The Honorable the SPEAKER,
House of Representatives.

SIR: I have the honor to transmit herewith a sealed envelope addressed to the Speaker of the House of Representatives of the United States from the President of the United States, received in the Clerk's Office at 9:40 p.m., October 4, 1965, and said to contain H.R. 5902, an act for the relief of Cecil Graham, and a veto message thereon.

Respectfully yours,

RALPH R. ROBERTS,
Clerk, U.S. House of Representatives.

CECIL GRAHAM—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I return herewith, without my approval, H.R. 5902, a bill "for the relief of Cecil Graham."

The bill provides that, notwithstanding the statute of limitations, the claim of Mr. Graham for refund of Federal income taxes erroneously paid by him on disability payments received from the Civil Service Commission during the period 1947–55, if filed within 1 year, shall be treated by the Treasury Department as timely filed and be considered and paid in accordance with provisions of applicable law.

Mr. Graham was retired on April 1, 1947, for disability under the Civil Service Retirement Act. In 1948 he was advised by an employee of the Internal Revenue Service that his disability payments were includable in income. He paid income tax, it appears, for the years 1947–55 on these payments. Subsequently he learned that they were not taxable and applied for a refund, but the statute of limitations had run.

The advice given Mr. Graham in 1948 was accurate at that time. It was the Epmeier decision by the seventh circuit in 1952 which held that disability payments were excludable and put taxpayers on notice that they should file claims for refund if they had previously included such payments in income. The Internal Revenue Code adopted in 1954 made it clear that disability payments for 1954 and subsequent years were excludable from income.

It is common knowledge that the tax law frequently changes. In our self-administered tax system, Mr. Graham, like all other taxpayers, had a responsibility for keeping informed.

The Congress has included a statute of limitations in tax laws in order to achieve uniform treatment and finality in tax administration. Any time limitation makes it inevitable that some claimants, often without fault, will fail to file their claims on time. A case such as this clearly demonstrates the wisdom of such a statute—it may be impossible to determine reliably the amount of any overpayment made by this taxpayer because the pertinent tax returns have been destroyed under existing procedures and in reliance upon the statute of limitations.

This bill is also inconsistent with the Technical Amendments Act of 1958, which granted some general relief to taxpayers who had erroneously included disability payments in income. By that statute, Congress granted relief to those who had asserted their rights by filing timely claims for refund, but withheld relief from taxpayers who, like Mr. Graham, had not filed timely.

A number of other bills for relief of individual taxpayers have been introduced in Congress where the taxpayers had failed to file timely claims for re-

funds and therefore were not covered by the 1958 statute. President Eisenhower withheld his approval from two of these bills: H.R. 9765—85th Congress, and H.R. 6335—86th Congress. No others have been enacted. Thus, approval of this bill would discriminate against other taxpayers similarly situated and set an unfortunate precedent.

Accordingly, I am returning H.R. 5902 without my approval.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *October 4, 1965.*

The SPEAKER pro tempore. The objections of the President will be spread at large upon the Journal.

If there is no objection, the bill and message will be referred to the Committee on the Judiciary and ordered to be printed.

Mr. GROSS. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from Iowa objects.

Under the order of the House of October 1, this matter will be pending business on Thursday, October 7.

SMITHSONIAN INSTITUTION APPROPRIATIONS

Mr. GARMATZ. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 7059) to amend the act of July 2, 1940 (54 Stat. 724; 20 U.S.C. 79–79e), to authorize such appropriations to the Smithsonian Institution as are necessary in carrying out its functions under said act, and for other purposes, with amendments of the Senate thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments as follows:

Page 1, line 7, after "sums" insert: ", not to exceed $350,000,".

Amend the title so as to read: "An Act to amend the Act of July 2, 1940 (54 Stat. 724; 20 U.S.C. 79–79e), so as to increase the amount authorized to be appropriated to the Smithsonian Institution for use in carrying out its functions under said Act, and for other purposes."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

USIA FILM "JOHN F. KENNEDY—YEARS OF LIGHTNING, DAY OF DRUMS"

Mr. ZABLOCKI. Mr. Speaker, I move to suspend the rules and pass the Senate joint resolution (S.J. Res. 106) to allow the showing in the United States of the U.S. Information Agency film "John F. Kennedy—Years of Lightning, Day of Drums."

The Clerk read as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it is the sense of the Congress that the people of the United States should not be denied an opportunity to view the film prepared by the United States Information Agency entitled "Years of Lightning, Day of Drums", depicting events in the administration of the late President John F. Kennedy.

It is further the sense of Congress that the expression of congressional intent embodied in this joint resolution is to be limited solely to the film referred to herein, and that nothing contained in this joint resolution should be construed to establish a precedent for making other materials prepared by the United States Information Agency available for general distribution in the United States.

SEC. 2. Accordingly, the United States Information Agency is authorized to make appropriate arrangements to transfer to the trustees of the John F. Kennedy Center for the Performing Arts six master copies of such film and the exclusive rights to distribute copies thereof, through educational and commercial media, for viewing within the United States. The net proceeds resulting from any such distribution shall be covered into the Treasury for the benefit of the John F. Kennedy Center for the Performing Arts and shall be available, in addition to appropriations authorized in the John F. Kennedy Center Act, to the trustees of such Center for use in carrying out the purposes of such Act.

SEC. 3. In order to reimburse the United States Government for its expenditures in connection with production of the film, such arrangements shall provide for payment, at the time of delivery of the said master copies, for such rights in the amount of $122,000, which shall be covered into the Treasury as miscellaneous receipts.

SEC. 4. Any documentary film which has been, is now being, or is hereafter produced by any Government department or agency with appropriations out of the Treasury concerning the life, character, and public service of any individual who has served or is serving the Government of the United States in any official capacity shall not be distributed or shown in public in this country during the lifetime of the said official or after the death of such official unless authorized by law in each specific case.

The SPEAKER pro tempore. Is a second demanded?

Mr. ADAIR. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. ZABLOCKI. Mr. Speaker, I yield myself as much time as I may consume.

The joint resolution before the House does not need any lengthy elaboration or explanation, for 2 months ago the House approved, by vote of 311 to 75, a similar measure to provide for the distribution and showing within the United States of the U.S. Information Agency film, "John F. Kennedy—Years of Lightning, Day of Drums."

In spite of that overwhelming vote, there were some serious reservations and objections to the manner in which the issue was approached in that case. Specifically, some Members felt that a concurrent resolution was not the proper vehicle to use in making an exception from a rule which has been followed for many years by the USIA—the rule that USIA materials shall not be available for general distribution in the United States.

Other Members maintained that the USIA should not be put into the business of arranging the domestic distribution of its own products. Still other Members were concerned that a general showing of the Kennedy film in the United States would establish a precedent which could be abused in the future.

In place of the House-approved concurrent resolution, the other body passed and sent to the House, Senate Joint Resolution 106, which seems to meet most, if not all, of the objections to House Concurrent Resolution 285.

The Senate joint resolution contains five simple provisions:

First, it would authorize the USIA to turn over copies of the Kennedy film to the John F. Kennedy Center for the Performing Arts in return for a payment of $122,000, which is the original cost to the U.S. Government of preparing that film.

Second, the Senate resolution would give the Kennedy Center for the Performing Arts the exclusive rights to distribute and show this film in the United States.

Third, it would provide that the net proceeds from the showing of this film shall be paid to the Treasury and made available to the Kennedy Center for use pursuant to the act which established the Center.

Fourth, it states specifically that the enactment of the joint resolution shall not constitute a precedent for making any other materials at the USIA available for general distribution in the United States.

Fifth, the Senate joint resolution provides that Government-made films dealing with the life, character, or public service of any Federal official shall not be available for public showing in this country during such official's life, or after his death, unless authorized by law in each specific case.

Mr. Speaker, I believe that the Senate joint resolution should obtain even greater support than the House Concurrent Resolution 285 which the House approved by a 4 to 1 margin on June 9 of this year.

At this point, Mr. Speaker, I should like to place in the RECORD a letter from Chairman Roger L. Stevens, of the John F. Kennedy Center for the Performing Arts, to Chairman THOMAS E. MORGAN, of the Committee on Foreign Affairs, containing certain assurances which I am confident will prove of interest to the membership of the House. These confirm our intent that no appropriated funds be used in the acquisition of the Kennedy film by the Center and that the film be made available to educational organizations without profit to the Center. The letter reads as follows:

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS,
Washington, D.C., September 23, 1965.

Re Senate Joint Resolution 106.

Hon. THOMAS E. MORGAN,
Chairman, House Committee on Foreign Affairs, House of Representatives.

DEAR CONGRESSMAN MORGAN: I am glad to convey to you answers to the three questions which you put to me regarding Senate Joint Resolution 106.

I have discussed these matters with members of the executive committee of the John F. Kennedy Center for the Performing Arts, and they have authorized me, in the event

Senate Joint Resolution 106 becomes law, first, to make the appropriate arrangements with the U.S. Information Agency in accordance with the terms of Senate Joint Resolution 106 to acquire the exclusive rights to distribute copies of the film entitled "John F. Kennedy: Years of Lightning—Day of Drums," depicting events in the administration of the late John F. Kennedy, and to form a committee of distinguished citizens to direct the showing of the film in the United States through educational and commercial media by methods in keeping with the high standards of the film and the intent of the Congress.

Second, in the acquisition of these rights with reimbursement to the U.S. Government for its expenditures of $122,000 in the production of the film, the Center will not use any funds appropriated by the Federal Government.

Third, we will make this film available to educational organizations within the United States without profit to the Center.

Respectfully,

ROGER L. STEVENS,
Chairman.

Mr. Speaker, I urge that the resolution do pass.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include certain memorandums.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

GENERAL LEAVE

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on Senate Joint Resolution 106.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ADAIR. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we now have before us again the subject of the U.S. Information Agency film "John F. Kennedy—Years of Lightning, Day of Drums," in the form of Senate Joint Resolution 106. In my opinion, this is only a slightly better bill than that which we passed in the House on June 9. It is restricted to making six master copies of the film available to the John F. Kennedy Center for the Performing Arts for their use in raising money for the foundation. The U.S. Government will be reimbursed for these master copies in the amount of $122,000.

But note well section 4 of this Senate Joint Resolution 106, which says:

> Any documentary film which has been, is now being, or is hereafter produced by any Government department or agency with appropriations out of the Treasury concerning the life, character, and public service of any individual who has served or is serving the Government of the United States in any official capacity shall not be distributed or shown in public in this country during the lifetime of the said official or after the death of such official unless authorized by law in each specific case.

Here is a precedent being written into law. It simply means that the next time one of the political parties wants to eulogize a departed leader, it will only have to present legislation, and citing this Senate joint resolution, get it accepted.

In the minority report on the previous measure it was said in part:

> The authority requested in the resolution poses some fundamental issues that must be considered without regard to the tragic circumstances in our national life giving rise to the production of this film.
>
> Foremost among these is the dissemination within the United States of material produced by the U.S. Information Agency (USIA). The U.S. Information and Educational Exchange Act of 1948 provides the statutory authorization for the international information activities carried out by the USIA. In reporting out this measure in 1947, the Committee on Foreign Affairs included this statement:
>
> "This bill contains very broad authority for information activities, and the Congress would certainly wish this particular authorization to be directed solely toward the people of other countries."
>
> Section 2 included among the means to be used in achieving the objectives of the act to be the following:
>
> "(1) an information service to disseminate abroad information about the United States, its people, and policies promulgated by the Congress, the President, the Secretary of State and other responsible officials of Government having to do with matters affecting foreign affairs."
>
> The general authorization under which USIA operated is contained in section 501 of the act. I quote that section in its entirety.
>
> "SEC. 501. The Secretary is authorized, when he finds it appropriate, to provide for the preparation, and dissemination abroad, of information about the United States, its people, and its policies, through press, publications, radio, motion pictures, and other information media, and through information centers and instructors abroad. Any such press release or radio script, on request, shall be available in the English language at the Department of State, at all reasonable times following its release as information abroad, for examination by representatives of United States press associations, newspapers, magazines, radio systems, and stations, and, on request, shall be made available to Members of Congress."
>
> Under Reorganization Plan No. 8 of 1953, the functions of the Secretary of State were transferred to the Director of USIA subject to direction by the Secretary of State, of policy guidance and program content control "for use abroad" on official U.S. positions.
>
> Since 1948, Congress has reaffirmed the legislative intent of the act through expressions by Members of Congress during congressional hearings. It is clear from their statements that it was never intended that USIA disseminate any of its work within the United States. The U.S. Advisory Commission on Information, created by Congress to serve the public interest and consisting of five distinguished citizens, emphasized this point in its 19th report to Congress in January 1964:
>
> "The Commission recommends that USIA avoid those domestic activities which are contrary to the intentions of Congress. This calls for restriction of domestic speeches and press releases. The Agency should limit the distribution of its materials and media products domestically, in order to allay any congressional apprehension that the Agency may be propagandizing within the United States."
>
> The film has been widely exhibited abroad. So have many other documentary films that would undoubtedly appeal to individuals and groups in the United States. While such films are apparently well received abroad, this is not an adequate basis for a departure from the clearly expressed intent of Congress that USIA productions be confined to foreign countries.
>
> A basic principle is involved. USIA was established to promote a better understanding abroad of the United States, its people, and it policies. In other words, its basic purpose is one of persuasion—to create a more favorable attitude toward the United States in other countries. It is, quite frankly, a propaganda agency.
>
> To use in this country a film designed for propaganda overseas would set a most undesirable pattern. USIA has always recognized as the intent of Congress that this Government Agency would not propagandize the American people. To allow this would mean that the taxpayers would be subsidizing programs designed to shape their judgment.
>
> The film deals with a recent political leader many of whose policies are still under active political discussion and debate in this country. The showing of the film in this country can inject a large emotional content into the consideration of basic public policies that should be judged on their merits.

So it is, Mr. Speaker. We could continue to give instances in which it is clearly pointed out that it is the intent of the Congress that material prepared by and under the direction of the U.S. Information Agency should be used only abroad and not in this country. The record is replete with remarks and illustrations showing clearly that there was a very real fear that this agency—which is in fact a propagandizing agency and is supported by the Federal Government—would have the fruits of its labors turned toward efforts to influence the thinking of people here at home.

In spite of what may be said, we are setting a very dangerous precedent. Every time we lower the barriers once in this respect we make it easier thereafter to do so again and again. In other words, what I am saying is here we have a very fundamental issue whether or not the products of the USIA, which are designed to be used abroad, may be used here at home for domestic purposes.

Further, Mr. Speaker, this is obviously an effort to make possible the raising of funds for an organization, again certainly a worthwhile organization, the John F. Kennedy Center for the Performing Arts, but here is a product of the USIA being used for fundraising. There is very little limitation, if any, placed on the kind of fundraising that may be considered here. In the committee report there is expressed the hope that this will not be used for political purposes. However, Mr. Speaker, in the joint resolution before us, and explicitly in the report itself, there is no prohibition against such use of this film. There is nothing that says absolutely it cannot be used for political purposes. There is nothing, I submit, Mr. Speaker, which would prevent a Member of Congress, a Senator, a Governor, or any other political official, if he pays the fee for the use of the film, from then making use of it as he may see fit.

Furthermore, there are no restrictions upon how and where these films may be used. Members will recall in a debate on the previous measure great concern was expressed lest these be used improperly in association with other films of questionable merit and questionable content and perhaps in improper places and in a wrong context. There is no assurance, apart from the assurance that we would feel in the good judgment of those

in authority in the John F. Kennedy Center for the Performing Arts, that it would be subject to proper supervision and policing. Mr. Speaker, I think for these reasons, and others as well, that we are setting a dangerous precedent by using material, designed to be used abroad, here at home. We are not setting up sufficient safeguards concerning its use and, therefore, this Senate joint resolution should be defeated.

Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, I thoroughly agree with the gentleman from Indiana [Mr. ADAIR] that this may very well be setting a most dangerous precedent in that this film was designed and was paid for by the taxpayers of this country for the purpose of propagandizing in foreign countries and not in the United States. Furthermore, I call the attention of the Members of the House to the report accompanying this bill. There is not a single departmental comment in the report. The fact of the matter is that I have been advised, and on good authority, that the Advisory Commission to the USIA—which originally prepared this film and the Agency through which the money was expended—a majority of the members thereof are not in favor of this legislation, or at least they were not in the early consideration of the bill. The report is completely lacking with regard to departmental or agency reports.

Mr. ZABLOCKI. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Yes. I am glad to yield to the gentleman.

Mr. ZABLOCKI. The reason why a report is lacking is because the decision here is for the Congress to make—not for the executive branch. I am also assured that the executive board did not object to the showing of the Kennedy film, if the USIA was acting in accordance with expressed congressional intent.

Mr. GROSS. I said nothing about an executive board. I said the Advisory Commission to the USIA.

Mr. ZABLOCKI. I stand corrected—I meant the Advisory Commission. The Commission, in its report, was solely concerned that the USIA comply with congressional intent in its operations. They have not expressed any objection to any particular expression of congressional intent with respect to the Kennedy film.

Mr. GROSS. The point is that the Committee on Foreign Affairs did not call the Advisory Commission or any member thereof before it in the consideration of this bill at any stage. The gentleman will agree to that, I am sure.

Mr. ZABLOCKI. Yes; nor did the committee ask for testimony from the U.S. Information Agency or representatives thereof, because we wanted to keep the Agency entirely out of the consideration of this bill. The decision embodied in the resolution is solely ours to make; and we are making this decision in favor of domestic showing of the Kennedy film because of the tremendous interest that has been shown in it here in the United States. There were several dozen bills and resolutions introduced by Members of Congress who would like to have the U.S. Information Agency given permission by Congress to release the film, so that the American people—at least those desiring to do so—that they may be able to see it.

Mr. GROSS. It is a rare event for a bill to come to the floor of the House, a resolution or a bill, without any departmental reports of any nature.

Mr. ZABLOCKI. Mr. Speaker, will the gentleman yield further?

Mr. GROSS. Yes, of course.

Mr. ZABLOCKI. Certainly the gentleman would not expect or require that the U.S. Information Agency pass judgment on a policy that the Congress alone promulgated, formally or informally, restricting the U.S. Information Agency from distributing its materials in the United States?

Mr. GROSS. I should certainly like to have heard, and I suspect that there are other Members who would like to have heard the attitude of the Commission and the attitude of the Agency on this expansion of the showing of a propaganda film throughout the United States when that film was designed exclusively for overseas showing, in its original conception.

Mr. ZABLOCKI. Mr. Speaker, if the gentleman will yield further, I think it would be out of order to ask the U.S. Information Agency to take a position on the issue of the distribution of one of its productions when the Congress has previously told them that they were not to engage in such activities. Certainly the gentleman will agree that this would not be in order, for the U.S. Information Agency to come before the committee for that purpose?

Mr. GROSS. I think on the contrary that it was very much in order, because they were the original sponsors and in part the promoters of this film, for quite a different purpose than is here being proposed today. I see no reason why they should not have been called upon to state their views with respect to the showing of this film for a purpose for which it was never intended.

Mr. ZABLOCKI. Mr. Speaker, I want to assure the gentleman that I have not received, nor has any other Member that I know of, any memorandum or letter from either the Advisory Commission or the USIA in opposition to this resolution.

Mr. GROSS. No harm could have resulted if the Foreign Affairs Committee had called members of the Advisory Commission before the committee to give their views with respect to the use of this film which they approved originally, for which substantial Federal funds have been expended and only for the purposes of showing overseas. I reiterate that I join completely with the gentleman from Indiana [Mr. ADAIR] in saying that the enactment of this resolution can very well set a most dangerous precedent so far as the showing of Government-produced, propaganda films in this country is concerned.

Mr. ADAIR. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. DERWINSKI].

Mr. DERWINSKI. Mr. Speaker, I too wish to associate myself with the remarks of the gentleman from Indiana [Mr. ADAIR] and to point out to the Members of the House that what we will be doing, if we adopt this resolution, is to establish a precedent that in this case, any disclaimers to the contrary are not worth anything.

Mr. Speaker, this report is a very fascinating document. This committee report goes to a great extent to emphasize that we are not setting a precedent when the very act itself is a precedent. We have some very fascinating language contained in the report. For example, it refers to the fact that it is the intent of Congress that this film be used in a nonpartisan manner, and it states as follows:

> The film ought not be used, for example, for partisan political fundraising. On the other hand, local nonpartisan community showings of the Kennedy film should not be discouraged or proscribed simply because a Member of Congress or some other public official happens to sponsor the event.

Mr. Speaker, as I interpret this language, this represents an open invitation for any number of political figures to use this film, and as I see it abuse this film.

Mr. Speaker, we may as well use this opportunity to discuss this USIA. Incidentally, I feel that this is a very effective dramatic film, effective in its intended impact upon foreign observers. Interestingly enough, this is one of the few products produced by the USIA which I believe has any substantial artistic impact.

Mr. Speaker, the USIA is one of our most ineffective and overrated agencies.

Also, I would like to take this opportunity to comment that one of the more ineffective operations of this ineffective agency is the Voice of America which proclaims its virtues by pointing out that its broadcasts are no longer jammed as they beam behind the Iron Curtain, obviously, because of the innocuous nature of their presentation.

Overseas, Mr. Speaker, the USIA is an absolutely weak, ineffective propaganda arm of the Government.

It is fascinating that this one film which I believe has considerable domestic significance is the product of some unusual performance on their behalf.

Mr. Speaker, I feel that this precedent is so dangerous and will come back to haunt us, that the House in its wisdom should reject this resolution. However, I am afraid that the Members have not given sufficient attention to this problem and as the last time, they will faithfully rubberstamp this resolution.

Mr. ZABLOCKI. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Pennsylvania, our distinguished chairman of the Committee on Foreign Affairs [Mr. MORGAN].

Mr. MORGAN. Mr. Speaker, I take this time to ask the chairman of the subcommittee, the gentleman from Wisconsin [Mr. ZABLOCKI], some questions bearing on this legislation.

During the remarks of the gentleman from Wisconsin he stated that this House Concurrent Resolution 285 had passed this very body by a vote of 311 to 75.

The Senate did not accept the House concurrent resolution. After some delay, a compromise was reached, largely, I understand, as the result of efforts by the distinguished minority leader, Senator DIRKSEN and the ranking minority member of the Foreign Relations Committee. This joint resolution now before us embodies that compromise and it passed the Senate by a simple voice vote. I therefore find it hard to understand the strong objection to this resolution which is coming from the other side of the aisle.

The resolution we have here today is the language from the workshop of Senator DIRKSEN. Is that correct?

Mr. ZABLOCKI. It is my understanding, and I have apprised the members of the minority of it, that the Senate joint resolution embodies a compromise that was worked out with the minority leader in the other body, and with the ranking minority member of the Senate Foreign Relations Committee. Therefore I am somewhat amazed that the gentlemen on the other side of the aisle are opposed to this resolution.

Mr. MORGAN. Will this not be a great aid to fundraising drives of the John F. Kennedy Cultural Center?

Mr. ZABLOCKI. The revenue that will be derived will revert to the Treasury to be used by the Kennedy Cultural Center.

Mr. DERWINSKI. Mr. Speaker, will the gentleman yield?

Mr. MORGAN. I yield to the gentleman from Illinois.

Mr. DERWINSKI. I hope I properly interpreted my distinguished chairman. The language in the Senate resolution was fundamentally developed by the distinguished Senate minority leader, so that the distinguished minority leader should be followed then?

Mr. MORGAN. In this instance, yes. I just cannot see this being a dangerous position taken by the House when the majority and minority leadership in the other body was for it.

Mr. DERWINSKI. I appreciate the tremendous support given our Senate minority leader, and I hope that the majority also will give him substantial support in his heroic effort to preserve section 14(b) of the Taft-Hartley Act.

Mr. MORGAN. It would perhaps be too much to expect 100 percent perfect judgment in every case, besides that has nothing to with his statesmanlike approval of the pending resolution.

Mr. ADAIR. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. FULTON].

Mr. FULTON of Pennsylvania. Mr. Speaker, I would like to ask the subcommittee chairman and the ranking minority member: on page 2, section 2, there is the phrase: "and the exclusive rights to distribute copies thereof, through educational and commercial media for viewing within the United States."

According to that phrase there is no rule as to whether the distribution to educational institutions shall be without profit.

Mr. ZABLOCKI. I am pleased to advise the gentleman that the Committee on Foreign Affairs has been assured by the Chairman of the Board of Trustees and of the Executive Committee of the John F. Kennedy Center for the Performing Arts that they will make this film available to educational organizations within the United States without profit to the Center. This conforms our intent with respect to this matter. For the full outline of the assurances which we have received on this as well as on some related points, I would like to refer the gentleman to a letter from Mr. Roger Stevens which I cited earlier in our debate on this resolution.

Mr. FULTON of Pennsylvania. Who shall determine that? The Bureau of the Budget will set up the rules, or will it be in the hands of the Kennedy Cultural Center?

Mr. ZABLOCKI. The trustees of the Kennedy Cultural Center will make the decision on the operational aspects of this matter. There is also guidance furnished on this subject in our report which reads, in part: "that private enrichment should not become the goal of the domestic distribution of the Kennedy film and that nonpartisanship should be the rule in all arrangements for its distribution in this country."

Mr. FULTON of Pennsylvania. I do not think we should limit the Kennedy film to commercial distribution, and that there shall be no profit. I do think it should be put on the educational media.

Mr. ADAIR. Mr. Speaker, will the gentleman yield?

Mr. FULTON of Pennsylvania. I yield to the gentleman from Indiana.

Mr. ADAIR. I can say to the gentleman that under the terms of the Senate joint resolution that is before us here there is the very widest latitude as to the organization or individuals that may use this film. The resolution says educational or commercial. There are no guidelines beyond that.

In answer to the specific point made by the gentleman from Pennsylvania [Mr. FULTON] there are no restrictions, no guidelines as to costs laid down here. That is a matter which is completely wide open, and I share the gentleman's concern that it might be subject to abuse.

The SPEAKER. The time of the gentleman has expired.

Mr. ZABLOCKI. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. FULTON].

Mr. FULTON of Pennsylvania. The language of this joint resolution reads as follows on page 2, section 4:

SEC. 4. Any documentary film which has been, is now being, or is hereafter produced by any Government department or agency with appropriations out of the Treasury concerning the life, character, and public service of any individual who has served or is serving the Government of the United States in any official capacity shall not be distributed or shown in public in this country during the lifetime of the said official or after the death of such official unless authorized by law in each specific case.

As one of the ranking members of the Committee on Science and Astronautics and as ranking minority member of the Manned Space Flight Subcommittee, it appears to me that that is too broad because it would prevent the showing of any films on the astronauts in this country. How do you get around that? I think the prohibition is too broad. I think you must make some sort of exception as to the intent of the Congress with reference to this. I do not think it is intended to be that broad even though the phraseology of section 4 states that it is that broad because it states that on any showing we would have to have a specific act passed. That is the language that appears on page 3, line 7.

Mr. ZABLOCKI. I would point out to my colleague that the Senate joint resolution deals with materials produced by the USIA. I am sure, and at this time I would reassure the gentleman from Pennsylvania, that it is not the intent of the language he quoted to prevent the showing of a film of the astronauts, for example, or to negate any of the responsibilities or the authority, currently entrusted to the USIA under its basic authorities. The concern which has been expressed on the floor today, and also last June, related to USIA films dealing with the life and activities of our political leaders. I am certain that section 4 of the Senate joint resolution referred to such films. I for one—and I am confident that the membership of the House shares this sentiment—have no objection to the film of our astronauts, or a similar film, being made available for showing in our country.

Mr. FULTON of Pennsylvania. Then why do you not have that limitation so as to make it refer to films produced by the USIA?

The SPEAKER pro tempore. The time of the gentleman has expired. All time has expired.

The question is: Shall the House suspend the rules and pass the Senate joint resolution (S.J. Res 106)?

The question was taken; and on a division (demanded by Mr. GROSS), there were—ayes 55, noes 12.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present.

The SPEAKER. Pursuant to the order of the House of October 1, further proceedings on the Senate joint resolution will go over until Thursday, October 7.

IMPOSITION OF TIRE TAX ON TIRES DELIVERED TO MANUFACTURERS RETAIL OUTLET

Mr. JENNINGS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 318) to amend section 4071 of the Internal Revenue Code of 1954.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 4071 of the Internal Revenue Code of 1954 (relating to tax on tires and inner tubes) is amended by redesignating subsections (b) and (c) as (c) and (d) and by inserting after subsection (a) the following new subsection:

"(b) SPECIAL RULE FOR MANUFACTURERS WHO SELL AT RETAIL.—Under regulations prescribed by the Secretary or his delegate, if the manufacturer, producer, or importer of any tire or inner tube delivers such tire or tube to a retail store or retail outlet of such manufacturer, producer, or importer, he shall

be liable for tax under subsection (a) in respect of such tire or tube in the same manner as if it had been sold at the time it was delivered to such retail store or outlet. This subsection shall not apply to an article in respect to which tax has been imposed by subsection (a). Subsection (a) shall not apply to an article in respect of which tax has been imposed by this subsection."

(b) The amendments made by subsection (a) shall take effect on the first day of the first calendar quarter which begins more than 20 days after the date on which this Act is enacted.

SEC. 2. Section 4226 of the Internal Revenue Code of 1954 (relating to floor stocks taxes) is amended by adding at the end thereof the following new subsection:

"(e) TAX ON CERTAIN TIRES AND TUBES.—On any tire or inner tube which, on the first day of the first calendar quarter which begins more than 20 days after the date of the enactment of this subsection, is held at a retail store or retail outlet of the manufacturer, producer, or importer of such tire or tube, he shall be liable for tax under section 4071(a) in the same manner as if such tire or inner tube had been sold by him on such first day. This subsection shall not apply to an article in respect of which tax has been imposed by section 4071 of the Internal Revenue Code of 1954. Such section 4071 shall not apply to an article in respect of which tax has been imposed by this subsection."

The SPEAKER pro tempore. Is a second demanded?

Mr. AYRES. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia [Mr. JENNINGS].

Mr. JENNINGS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the pending bill would amend the Internal Revenue Code of 1954 to provide that the manufacturers' excise tax on tires and inner tubes in the case of manufacturer-owned—or importer-owned—retail stores is to be imposed at the time of delivery to these stores, rather than at the time these tires or tubes are sold. The bill also imposes a floor stocks tax, at the regular rates, on inventories on hand in these stores on the date the new provision referred to above becomes effective.

Under present law a tax of 10 cents a pound is imposed on highway-type tires and 5 cents a pound on other tires, and a tax of 10 cents a pound is imposed with respect to inner tubes, at the time they are sold by the manufacturer, producer, or importer.

In the case of tire and inner tube manufacturers—or importers—maintaining their own retail stores or retail outlets, this means that no tax is imposed until the manufacturer makes a sale at retail, that is, to the consumer. As a result, where a manufacturer has his own retail store, no tax is paid on his retail inventory. On the other hand, the independent tire dealer can have only tax-paid inventory. The Committee on Ways and Means has been advised that these dealers may have as much as 15 percent of their inventory investment tied up in these taxes, an investment which their competitors, the tire manufacturers with their own retail outlets, need not make. In addition to the large investment tied up in inventory, the independent tire dealer, because of this higher inventory cost, also is faced with larger insurance costs with respect to this inventory.

The pending bill, which I introduced, would remove this competitive discrimination against independent tire dealers by providing for the imposition of the tire or inner tube tax at the time the tire or inner tube is delivered to a retail store or retail outlet of the manufacturer, producer, or importer. The bill contains language to make sure that the imposition of tax when tires or inner tubes are delivered to a retail store or retail outlet does not result in double taxation.

Similar legislation was passed by the House of Representatives in a prior Congress, by unanimous consent, and earlier this year the other body adopted the provision as an amendment to the House-passed excise tax reduction bill. However, because of the fact that a provision such as this should originate in the House, the provision was deleted by the conference committee. The Committee on Ways and Means is unanimous in recommending enactment of H.R. 318.

Mr. AYRES. Mr. Speaker, I yield myself 1 minute.

The rubber industry is one of the greatest industries in the United States. The rubber industries that are based in my hometown of Akron, Ohio, operate in every congressional district. A highly respected Member of this body who represents a district and who has worked both as an employer and as an employee in the rubber industry is the gentleman from Pennsylvania [Mr. DENT]. I yield 5 minutes to him.

Mr. DENT. Mr. Speaker, first, I must confess that I did not know that this measure was even being considered, since no hearings were held on it. However, from my own knowledge of the distribution system in the entire industry, I find that I am at a loss to understand why this particular industry is being picked out for a specific tax in what are known as consignment retail stores.

Without the consignment stores in the rubber tire industry, the rural areas would be absolutely lost in trying to get tires in a hurry when tires are needed by the independent tire dealer. The independent tire dealer carries a very small popular-sized tire inventory. That is historic in the industry. At one time I was municipal sales manager for one of the large plants, and I can tell the Members from experience that if the proposed tax is imposed, there will be established a method of doing the same for all private-brand, excise-taxed products in the United States, because this would not be a tax upon a tire as such. It would actually be an excise retail sales tax. It would be an excise tax to be placed on the tire, but paid by the buyer, not by the manufacturer. In the normal run of excise taxes in manufacturing, as they were conceived and as they were operated in nations that had an excise tax as a basic tax, such as the Canadian excise tax, the manufacturer paid the excise and it was passed on down through the channels of distribution.

The privately owned or company owned tire store is part of the distribution system of tires.

This is not something that grew up overnight. This grew up out of the necessity of having some place in a certain given area, a certain travel area, where they could keep all of the odd size tires.

For instance, tires on a car are changed more than any other part of an automobile. The tires on a car of last year, in most cases, are different from the tires of this year. That is done for two reasons. First, of course, it is to stimulate the use and the manufacture of tires in the field. The other reason is because people, so long as a tire will run, will not change tires. Many accidents on the highways result from blowouts after the inner cords of the tire have been broken by continued hammering on the highways, bumping of curbs, high speeds of running, as well as overheating and sudden cooling in the wintertime.

This is historic in the industry.

I have always opposed the so-called consumer discount type of bill. I still believe that is wrong in our distribution system. But there are industries which must have consignment stores in order to have these items available for the independent dealer you are trying to protect. These are tires he cannot carry. If we eliminate this kind of carry station, we will cause the independent dealer to carry many, many thousands of dollars more of inventory than he now carries, for the simple reason that he cannot carry a sufficient supply to meet the demands in the many sizes of the tire industry.

I do not know how many Members realize it, but in one line of automobiles—for instance, the Ford line—there may be as many as 16 or 20 different tire sizes going onto Ford cars. The independent dealer cannot possibly carry all sizes.

The store was conceived the same as the beer store or the same as the liquor houses. They have excise taxes, but they have a right to have a consignment, in order that the tax may be paid when they remove from consignment.

This does not give the independent store any advantage. This is only a punitive tax placed before the tire is removed for sale.

Mr. KEOGH. Mr. Speaker, will the gentleman yield?

Mr. DENT. I am happy to yield to my distinguished colleague.

Mr. KEOGH. I wonder if the gentleman would follow further his analogy between this industry and the liquor industry?

Mr. DENT. Only in the distribution.

Mr. KEOGH. Only in the distribution?

Mr. DENT. Yes; not in the consumption.

Mr. KEOGH. In the liquor industry the tax is applicable on the product. It is payable at one and the same time, whether sold to State stores or privately-owned stores, no matter how distributed.

Mr. DENT. Except that, when we look into the matter of the liquor distribution, we find that where there is a consignment of liquor from a distillery to a State store, for instance in my State, that tax by the State store is not paid to the distillery until the store takes it.

Mr. KEOGH. That is not correct.

Mr. DENT. It is true.

Mr. KEOGH. It is a distiller's tax.

Mr. DENT. The distiller pays the tax when he takes it out of the warehouse, but he does not pay the excise tax that is paid in Pennsylvania.

Mr. KEOGH. Mr. Speaker, the gentleman may be talking about a State sales tax or a retail sales tax, but unfortunately the subject before the House at the moment is the tire industry and not the distilled spirits industry.

Mr. DENT. I was drawing the analogy to show that this is a consignment tax. You are trying to put a tax, properly placed by this House and the Ways and Means Committee, upon a product to be paid at the resale of the product and not at the manufacturer's level. The manufacturer does not place the tax in his consignment store until the consignee sells the product, the same as an independent store. He pays it. Once the manufacturer has paid for it, he takes the money and the tax, but he is not paid when he is putting it in his warehouse.

If this were a retail store in the common definition of a retail store, then there would be some ground to stand on, but it is not; it is a house where retail products are sold but where they also have a wholesale business for the independent store. The consignee gets it and sells it to the very independent store you are talking about.

Mr. McCLORY. Mr. Speaker, will the gentleman yield to me?

Mr. DENT. Yes. I am glad to yield to the gentleman.

Mr. McCLORY. I thank the gentleman for yielding. I happen to have a substantial plant of the Goodyear Tire & Rubber Co. in my district in Illinois. It is my feeling that this is discriminatory legislation against that company and against other companies that operate in the way they do through retail outlets in many instances. It strikes me that there should be an opportunity for some hearings on this legislation and that the House should not go forward and pass this bill before the other side has been heard. I am sure the gentleman will agree with that position. There could be testimony and evidence offered in opposition to this legislation if the committee would accord the parties a hearing.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has expired.

Mr. AYRES. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. DENT. Mr. Speaker, I want to say that there may be a new type of distribution system that has grown up where there is no longer a consignee proposition as between a manufacturer and his retail outlet which he carries in his own name in order to carry the size of tires that are not available to the little garage down at the corner. This is the very thing you are driving at here. You do the same thing where a garage owner who needs two tires runs up to an independent tire store. It is the same identical operation. If the independent tire store is a franchised dealer—he can be an independent, but he is a franchised dealer for a particular tire company—he gets his tires on consignment. If that is no longer the method of distribution of tires, let us have a hearing and find out. If it is not, I will support your legislation.

Mr. JENNINGS. How recent is your information concerning this type of distribution?

Mr. DENT. Like many Members of Congress, I have not worked for a long time at that business, but I still know the company operating in my town has independent and consignment stores. The independents buy their odd-sized tires from the consignment store.

Mr. McCLORY. Mr. Speaker, will the gentleman yield to me?

Mr. DENT. I do not have any time left, but I will be glad to yield.

Mr. McCLORY. It is your time and if you will yield it to me, I will appreciate it. I would like to mention the fact that the consumer is involved as well. If this tax is going to be imposed on an entire inventory of tires that belong to the manufacturers, that are held on consignment or stored temporarily in many cases with a retail outlet, then the practice may develop of withholding a great many of these tires from these outlets, and the consumer then will be without the product.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. AYRES. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois.

Mr. McCLORY. Mr. Speaker, I thank the gentleman for yielding to me. It seems to me that as a result of this legislation which does not seem to me to be very well thought out, it could result in the consumer not having the product to which he is entitled. Perhaps ways and means will be developed for avoiding the tax. Certainly we do not want to deliberately thrust a tax on manufacturers or distributors because they have provided a large inventory, much of which may not be needed or used in that particular area.

Mr. DENT. Mr. Speaker, will the gentleman yield?

Mr. McCLORY. I am glad to yield to the gentleman.

Mr. DENT. As far as the consumer is concerned, no reputable tire manufacturer will sell cheaper or at a lower price through his retail outlet than the independent dealers retail their product, because it is in the maintenance of this price stabilization that their products are accepted in any given area. It is a convenience proposition more than any other thing in the distribution of the tires. As far as I know, that is the truth of the matter.

Mr. McCLORY. I am certain the gentleman is right. In thinking of the consumer I am thinking of his convenience as well as other benefits which all are involved in the service provided by these manufacturers who provide these outlets for their products.

Mr. JENNINGS. Mr. Speaker, I yield myself 3 minutes. Mr. Speaker, I think it is time we get this into perspective and we get down to the meat of this legislation.

First of all let me say, as the result of hearings conducted by the Small Business Committee and the Committee on Ways and Means over the years, starting back as early as 1942—and at that time there were several members of the party on the other side of the aisle interested in this legislation. As a matter of fact, there is a remark in the hearing record in 1942 which I think is significant, made by Congressman HALLECK, who was then a member of the House Small Business Committee, showing that the need for such corrective legislation was evident.

In 1947, Congressman Ploeser, who served as a member of the party from the other side of the aisle and who was chairman of the House Small Business Committee, introduced legislation that was similar in intent to H.R. 318.

In the 88th Congress, Congressman Roosevelt introduced a similar bill. He has been closely associated with efforts to solve the problems of small business and has investigated the need for such legislation. This bill has had bipartisan support for many years.

I might say also a word about retail taxes. We had four types of retail taxes, I will say to the gentleman from Pennsylvania, and all of them were removed this year in the excise tax legislation. We had a retail tax on toilet preparations, jewelry, leather goods, and furs. Those were the only retail taxes. The rest of the excise taxes generally speaking, were at the manufacturers' level. All four of those to which I have referred were removed.

Here is the situation involved in this bill. This is a matter of small business versus large business. As a matter of fact, the National Federation of Independent Business has polled its membership—they have a membership of 204,333—and on this very subject. In 1946 the vote of the membership was 95 percent for this legislation, 3 percent against, and 2 percent had no opinion. Another poll in 1962 showed substantially the same results.

Let me point out to the gentleman what this is. You express concern about distribution centers. There is nothing in this legislation that will prohibit the manufacturers from shipping their tires to a warehouse, to a central location, then shipping them out to either an independent store or to a company-owned store. You talk about discrimination. This removes discrimination instead of creating it. There is discrimination today on the part of the independent who handles the manufacturer's tire. In the case of a retail store in a locality that is owned by the manufacturer no tax is paid on those automobile tires until such time as the manufacturer disposes of those tires to the consumer.

In the case of an independent store, as soon as those tires are shipped to him

or consigned to him they are invoiced and the invoice price not only has the wholesale price of the automobile tire but it includes the excise tax, also.

Evidence submitted to our committee indicated that a total of some 15 percent of an independent dealer's inventory was in this excise tire tax. His competitor down the street, who was operating a company-owned store, had no tax whatsoever. This means that our present excise tax system puts a 15-percent penalty on the independent dealer. That is where the discrimination is and it cannot be denied. This is the type of competitive disadvantage we were interested in removing in other excise tax areas in the bill we passed this year. The only reason we did not consider this then was that we excluded consideration of taxes dedicated to the highway trust fund. This included tires and tubes.

Now you talk about looking after the consumer. This is an equalization of the tax effects and it is the best way in the world to help the consumer by equalizing competition. You talk about having hearings. Congressman Forand, when he was chairman of the subcommittee of which Mr. KEOGH was a member, had public hearings 6 or 8 years ago. Legislation on this subject was reported to the committee as long ago as that. It had been reported to this House on several occasions. In the last Congress it was passed by unanimous consent. There was not a dissenting vote or a dissenting voice or any criticism or dissension in the Committee on Ways and Means. This year, when we sent the excise tax bill to the other body they recognized the fairness and equity of this legislation and added an amendment to that legislation but because it was tax legislation which constitutionally and historically is supposed to originate in this House, it was removed in conference. We have brought it back to the House again in the bill here.

There is no discrimination created by this legislation. Just the reverse, I can assure the gentleman. There is no comparison between the distribution of alcoholic beverages and consignments. There is nothing in the world that would prevent consigning to a company-owned store or to an independent store. This merely equalizes the tax incidence. It is saying that the tax would be paid on the tire when it is delivered to a retail store regardless whether it goes to a company-owned store or to an independent.

The SPEAKER pro tempore. The time of the gentleman from Virginia has again expired.

Mr. JENNINGS. Mr. Speaker, I yield myself 1 additional minute.

The SPEAKER pro tempore. The gentleman is recognized.

Mr. JENNINGS. Mr. Speaker, it merely says that the tax is going to be paid at the same time whether it goes to a company-owned store or whether it goes to an independent store.

Mr. DENT. Mr. Speaker, if the gentlemen will yield, I would suggest to the gentleman that he correct the fault where it lies and not try to do it in such a way that it will deny the sparsely settled communities the tires that are needed, because no independent store in any of the sparsely settled communities can carry a stock which is adequate of the size and different grades of tires with which to meet the needs.

Mr. JENNINGS. Let me just say this to the gentleman——

Mr. DENT. Wait a minute.

Mr. JENNINGS. The gentleman from Pennsylvania can get some time from the other side, if he desires additional time.

Mr. DENT. I could not get any time from the gentleman from Virginia.

Mr. JENNINGS. Has the gentleman from Pennsylvania asked me for any time?

Mr. DENT. I was advised that I could not get time.

Mr. JENNINGS. Has the gentleman from Pennsylvania asked me for any time?

Mr. DENT. Will the gentleman yield 5 minutes to me?

Mr. JENNINGS. If the gentleman from Pennsylvania asks me for time I shall yield him such time as I feel I can spare.

Mr. AYRES. Mr. Speaker, I yield myself 5 minutes.

Mr. DENT. Mr. Speaker, will the gentleman yield to me?

Mr. AYRES. I yield to the gentleman from Pennsylvania.

Mr. DENT. I had just started to say to the gentleman from Virginia if he wants to correct the situation, do not create one evil by trying to undo another.

In principle, I agree with the idea that a manufacturer's outlet should not have any advantage over an independent store.

Mr. JENNINGS. That is what this bill does.

Will the gentleman yield further to me?

Mr. DENT. I could not get a minute out of the gentleman from Virginia. If the gentleman from Ohio gives me time I shall yield to the gentleman from Virginia.

Mr. KEOGH. The gentleman from Pennsylvania just said that a company-owned store should not have an advantage. This is exactly what this bill proposes to do.

Mr. DENT. If you want to correct it, then do it the way it can be done without inflicting any injury upon anyone and, as I say, equalize the opportunity to earn a reasonable income both from the standpoint of the individual as well as the independently owned retail outlets. It can be done easily enough. That is what you did with reference to the excise tax on cosmetics, with reference to the excise tax on jewelry. You did not place an excise tax collectible at the retail level. Do the same thing here and you will have no problem.

Mr. AYRES. Mr. Speaker, I would like to say to the gentleman from Pennsylvania that I believe he has probably summed up pretty well what is happening with reference to this proposed legislation.

No. 1, you are not assisting the so-called independent dealer in any way, because you are leaving him in the same position in which he is now. But, you are penalizing the company-operated store.

Mr. Speaker, insofar as this bill having been passed by unanimous consent, it was brought up and it had not been announced that it would be considered. Frankly, those of us who are interested in the bill were not here that day on which it was brought up or I can assure the membership that it would not have passed by unanimous consent.

A significant point concerning Ways and Means Committee approval of H.R. 318 is that this action was undertaken without any hearings having been held on the bill. This lack of public hearings precluded the tire manufacturing industry from testifying on the measure and pointing out its undesirable features. It also deprived members of the Ways and Means Committee of current factual information on the matter of payment of Federal excise tax on tires and tubes.

It is understood that the Department of Treasury previously registered its opposition to the principles set forth in H.R. 318 and filed them with the Ways and Means Committee during a previous Congress. This action was taken in the form of an adverse executive report on a bill similar to H.R. 318.

This bill is designed to correct a supposed inequity which in fact does not exist. It is claimed that the independent tire dealer is at a competitive disadvantage with the company-owned retail store in that he must pay the Federal excise tax on tires and tubes at the time of his purchase of these goods, while the company-owned store—since it has not actually purchased them but merely acquired them on a transfer basis—is not liable for payment of this tax until it sells the tire or tube at retail.

The fact of the matter is that for many years tire manufacturers have had in effect a program whereby the independent tire dealer in most instances does not pay the tax to the manufacturer until after he has made the sale to his customer.

Currently, the manufacturer must pay the tire excise tax at the close of the month following the month in which the sale is made by him, amounting to an average of 45 days after the sale. The manufacturer, however, is not reimbursed for his tax payment until he collects from the independent dealer. Moreover, tire industry collection experience has previously revealed that on the average tire manufacturers do not collect from dealers either the Federal excise tax applicable to or the actual payment for the tire or tube until 83 days after billing the dealers. Consequently, the manufacturer is actually paying the tax to the Government on an average of 38 days before collecting the tax from the dealer. It is reasonable to assume that these figures closely approximate current collection patterns of tire manufacturers.

Frankly, those of us who have been in the Congress for a number of years realize there has been one gentleman who has been primarily interested in pushing this legislation, and many of us over the

years have realized there were some concessions made to appease this gentleman.

Mr. KEOGH. Mr. Speaker, will the gentleman yield?

Mr. AYRES. I yield to the gentleman from New York.

Mr. KEOGH. I think the gentleman to whom you have just referred is entitled to great credit of all those who are interested in sustaining the smaller, independent businesses of this country and, Mr. Speaker, I will say to the gentleman from Ohio that, in my opinion, the reason you and the other gentlemen from Ohio have not heard from the large tire manufacturers is that they are and have been perfectly conscious of the advantage the company-owned outlets have had in this regard, and they, I think, are surprised that the Congress has taken so long to correct this obvious inequity.

Mr. AYRES. I may say to the gentleman I cannot speak for the other Members of Congress, but as a Representative of the district where these companies are based—they do object to this discriminatory bill.

Mr. O'KONSKI. Mr. Speaker, will the gentleman yield?

Mr. AYRES. I yield to the gentleman from Wisconsin.

Mr. O'KONSKI. From what has developed here I think there is a lot of disagreement as to what this really provides. I for one have been voting here for programs to reduce the excise tax, to help stimulate business, and then we come in here with a bill which goes exactly to the contrary. I think this is something that ought to be looked into, and I hope we will send the bill back to the committee for more consideration.

Mr. STANTON. Mr. Speaker, will the gentleman yield?

Mr. AYRES. I yield to the gentleman from Ohio.

Mr. STANTON. Mr. Speaker, I would like to associate myself with the remarks which the gentleman from Wisconsin has just made. He is intelligible on this subject, and I should like to associate myself with him.

Mr. McCLORY. Mr. Speaker, will the gentleman yield?

Mr. AYRES. I yield to the gentleman from Illinois.

Mr. McCLORY. The gentleman is making a very fine statement, and I think what the gentleman is indicating is there is a need for hearings. Both sides of this matter should be heard before the committee, then the Congress can make an intelligent determination as to the issues involved.

Mr. AYRES. I hope that the House will vote down the motion to suspend the rules, and if the committee feels so inclined, go to the Rules Committee and let both sides be heard. This is not the proper way to bring it up, and I hope the proposition fails.

Mr. STANTON. Do I understand there have been no hearings held on this particular bill?

Mr. AYRES. That is correct.

Those who are opposed to the bill, the people who are affected, have not been heard. There were no hearings before the Committee on Rules. This is being brought up under suspension of the rules, but I hope in short order this will be defeated, and the bill sent back to the committee.

Mr. JENNINGS. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. DENT].

Mr. DENT. Mr. Speaker, one of the dangers in the so-called company-owned store is the danger of monopoly. In the tire industry, believe me when I tell you the very thing that saved the tire industry from complete monopolization by the Akron manufacturers was the fact that the independent manufacturers like Lee and others were able to open up company-operated stores in communities to keep their tires before the public. Otherwise there is no use in the independent tire manufacturer being in business. He cannot sustain himself in business without having his source of supply close to the retail market in such a manner that the garage man and the independent dealer can get the size he needs for his make of car.

No one else could possibly stay in business except those who have their own stores.

The SPEAKER pro tempore. The question is: Shall the House suspend the rules and pass the bill, H.R. 318?

The question was taken; and on a division (demanded by Mr. AYRES), there were—ayes 21, noes 26.

Mr. JENNINGS. Mr. Speaker, I object to the vote on the ground that a quorum is not present.

The SPEAKER pro tempore. Pursuant to the order of the House of October 1, further proceedings on this bill will go over to Thursday, October 7.

TARIFF TREATMENT OF CERTAIN WOVEN FABRICS

Mr. KEOGH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 11029) relating to the tariff treatment of certain woven fabrics of vegetable fibers—except cotton—with amendments as printed in the reported bill.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the article description for item 335.60 of the Tariff Schedules of the United States is amended by striking out "of manmade fibers" and inserting in lieu thereof "either of manmade fibers or of manmade fibers and cotton".

(b) Item 339.00 of such Schedules is repealed and there is inserted in lieu thereof the following:

"	Woven fabrics of textile materials, not covered by the foregoing subparts of this part:		
339.05	Containing over 17 percent of wool by weight	30¢ per lb. + 50% ad val.	40¢ per lb. + 60% ad val.
339.10	Other	17.5% ad val.	40% ad val. "

(c) The amendments made by subsections (a) and (b) shall apply as if made by the Tariff Schedules Technical Amendments Act of 1965; except that such amendments shall not apply with respect to any article entered, or withdrawn from warehouse, for consumption, on or before the date of the enactment of the Act.

The SPEAKER pro tempore. Is a second demanded?

Mr. BETTS. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York [Mr. KEOGH].

Mr. KEOGH. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, the pending bill is intended to close certain tariff loopholes through which foreign manufacturers are enabled to obtain lower rates of duty on certain fabrics than would otherwise apply by means of the introduction of a relatively small amount of high-value fibers having no significance other than to achieve the avoidance of the higher rate.

Mr. Speaker, we had thought that these rate avoidance practices had been effectively dealt with in the Tariff Schedule Technical Amendments Act of 1965 which passed the Congress the other day and which presently awaits the signature of the President.

However, new variations of these avoidance practices have already been discovered and it is to these latest practices at which the pending bill is aimed.

It is interesting to note, Mr. Speaker, that the Technical Amendments Act which recently passed was the subject of action by both Houses of the Congress during the last Congress which failed to survive a conference. It is therefore important to note that the industries and the manufacturers affected had notice almost 2 years ago that this loophole would be closed. They were astute enough, however, to devise a reopening of the loophole before its closing became effective. While we of long experience applaud those who so well and ably represent their clients and their interests that they can get ahead of us, we do not like to be lapped before the race is over.

Subsection (a) of the pending bill is directed at the avoidance device which consists of adding small amounts of cotton to yarns for the purpose of reducing the manmade fiber content of the fabric to less than the 50 percent required under the original section of the Technical Amendments Act.

Thus there would be avoided a higher rate than that which would otherwise have applied and which historically should apply under item 335.60 of the tariff schedules. That item was added to the schedule by the Technical Amendment Act to which I referred.

Subsection (b) of the pending bill is directed at the device of adding rabbit hair to wool to make an essentially wool fabric into a fabric not in chief value of wool with the result that the fabric falls into the lower rate "basket" provision for woven fabrics of textile materials. Subsection (b) assures that these fabrics falling within that "basket" group which contain over 17 percent of wool by weight will be subject to the appropriate and the preexisting higher rate of duty.

Mr. Speaker, the Committee on Ways and Means has unanimously recommended to the Congress the enactment of the pending bill. I trust that the House will so act.

Mr. BETTS. Mr. Speaker, the gentleman from New York has made a very clear explanation of the bill. I see no particular reason to elaborate on what he has said. I merely wish to reemphasize that the pending bill would close two loopholes which have arisen through tariff rate avoidance practices. I wish to emphasize again what the gentleman from New York said about the bill. The bill passed the Committee on Ways and Means unanimously. I associate myself with the remarks of the gentleman from New York and urge that the House pass the bill.

Mr. KEOGH. Mr. Speaker, I yield myself one-half minute.

I simply wish to say that I am always indebted to my distinguished colleague, the gentleman from Ohio, and I am always comforted when he is on the same side as I am.

Mr. BETTS. I thank the gentleman.

The SPEAKER pro tempore. The question is on the motion of the gentleman from New York that the House suspend the rules and pass the bill H.R. 11029, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill relating to the tariff treatment of certain woven fabrics."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. KEOGH. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may extend their remarks at this point in the RECORD on the bill just passed.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

PROVIDING FOR OPERATORS OF OCEAN CRUISES BY WATER BETWEEN THE UNITED STATES, ITS POSSESSIONS AND TERRITORIES, AND FOREIGN COUNTRIES TO FILE EVIDENCE OF FINANCIAL SECURITY AND OTHER INFORMATION

Mr. GARMATZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 10327) to require operators of ocean cruises by water between the United States, its possessions, and territories, and foreign countries to file evidence of financial security and other information, as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when used in this Act:

The term "ocean cruise" be defined as an ocean voyage for hire of passengers, other than a common carrier service transporting passengers from a port in the United States to ports in the possessions and territories of the United States or a foreign country, by a vessel of over 1,000 gross tons and having a capacity in excess of twelve passengers from the United States and return thereto during which time the itinerary of the vessel may include possessions and territories of the United States or a foreign country, and during which time passengers may disembark and reboard the vessel.

The term "person" includes corporations, partnerships, and associations existing under or authorized by the laws of the United States, or any State, territory, or district, or possession thereof, or any foreign country.

SEC. 2. No person shall arrange, offer, advertise or provide an ocean cruise without there first having been filed with the Federal Maritime Commission (1) the name, address, and citizenship of the offering person; (2) the name, registry, official number, flag, and tonnage of the vessel to be employed in the ocean cruise; (3) the itinerary of the ocean cruise; (4) a warranty that the vessel to be employed in the ocean cruise will be in a seaworthy and safe condition at the time of the commencement of the ocean cruise, and that the vessel to be so employed in such ocean cruise will conform to all applicable laws, treaties, and regulations at the time of the commencement of the ocean cruise; and (5) such information as the Commission may deem necessary to establish the financial responsibility of the person arranging, offering, advertising or providing such ocean cruise, or in lieu thereof a copy of a bond or other security, in such form as the Commission, by rule or regulation, may require and accept, for identification of passengers for nonperformance of an ocean cruise. If a bond is filed with the Commission, then such bond shall be issued by a bonding company authorized to do business in the United States or any State thereof, and such bond or other security shall be in an amount equal to the estimated total revenue for the particular ocean cruise.

SEC. 3. Any person who shall violate this Act shall be guilty of a misdemeanor and shall be punished by a fine of not more than $5,000 in addition to a fine of $200 for each passage sold for the cruise.

SEC. 4. The Federal Maritime Commission is authorized to prescribe such regulations as may be necessary to carry out the provisions of this Act. The provisions of the Shipping Act, 1916, shall apply with respect to proceedings conducted by the Commission under this section.

SEC. 5. This Act shall take effect six months after the date of enactment.

The SPEAKER pro tempore. Is a second demanded?

Mr. MAILLIARD. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Maryland will be recognized for 20 minutes and the gentleman from California will be recognized for 20 minutes.

Mr. GARMATZ. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, the purpose of this bill is to prevent financial loss and hardship to the American traveling public, who, after payment of cruise passage money, are stranded by the abandonment or cancellation of a cruise. To accomplish this, plus provide assurance of adherence to safety standards, the bill requires the filing of certain data with the Federal Maritime Commission.

In recent years there has been a significant and substantial increase in ocean cruise traffic generated from U.S. ports. These ocean cruises operate primarily off the eastern seaboard of the United States to the Caribbean during the winter season, commencing in October. Both special and regular cruises to the Caribbean have increased rapidly in the past 6 years. The forecast for 1965–66 is more than double the sailings that were made in 1960–61. There is every indication that it will continue to increase. There are indications, also, that cruise traffic is commencing to be generated from Pacific coast ports.

This ocean cruise traffic from U.S. ports has attracted numerous steamship operators and charterers who experience a decline in traffic on their regular liner services during the cruise season. Most of these operators are responsible firms. Unfortunately, the traffic has attracted also a number of operators of questionable financial responsibility, operating aging vessels with lower safety and sanitary standards. This has resulted in several instances where scheduled cruises were suddenly canceled by the cruise operators at the last moment.

Passengers have been left on the dock, and have lost passage moneys which they have paid. In a few cases, there have been complaints of inadequate sanitary facilities, or substandard safety provisions.

Your committee feels that there is a need for legislation in view of the ever-increasing cruise traffic generated from our shores, which is patronized almost exclusively by citizens of the United States. This legislation would prevent possible financial loss and hardship to this sector of the American traveling public, as well as voice congressional concern for the safety of our citizens taking passage on ocean cruises.

The purpose of this bill is to restrain the fly-by-night operator or charterer of cruise vessels sailing from American ports who is financially irresponsible or who is willing to bilk the public into traveling on vessels of substandard safety.

This bill would not discourage the reputable cruise operator.

We will watch the effectiveness of this legislation. If it does not produce immediate results, we will review the matter again and recommend tighter requirements.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. GARMATZ. I yield to the gentleman from Iowa.

Mr. GROSS. Will this provide the same penalties for domestic as well as foreign flag operators? Will it apply to both?

Mr. GARMATZ. Yes.

Mr. GROSS. And it will apply the same penalties to both?

Mr. GARMATZ. That is correct.

Mr. GROSS. It relates only to the shipowners, and has nothing to do with the booking agencies?

Mr. GARMATZ. It has nothing to do with the booking agencies.

Mr. GROSS. It does cover shipowners?

Mr. GARMATZ. Owners and charterers; that is correct.

Mr. GROSS. Or operators, whatever they may be.

Mr. GARMATZ. Yes.

Mr. GROSS. I thank the gentleman.

Mr. MAILLIARD. Mr. Speaker, I yield myself such time as I may consume.

First, may I say to the gentleman from Iowa I believe the gentleman from Maryland was not wholly correct. Under the terms of the bill, as we have reported it, it would apply to a charterer or to anybody who offered this service. It would not just be the owner. It could be the owner, the operator, or it could be a charterer, if one was actually making the offer.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MAILLIARD. I yield to the gentleman from Iowa.

Mr. GROSS. So if a touring agency chartered a vessel then it would have to provide the financial responsibility for the operation of the vessel?

Mr. MAILLIARD. The way the legislation is worded, my understanding of it is that this information and the proof of financial responsibility must be on file before anyone can offer this service. It could be the owner. It has to be somebody. The American public has to be protected by somebody in the transaction.

Mr. GROSS. I want to compliment the committee for bringing out this legislation, particularly in view of the case—I do not remember the details—which occurred last winter, where apparently a substantial number of people were bilked by some kind of an operation that missed fire.

Mr. MAILLIARD. That is correct. That has happened in a number of instances.

Mr. Speaker, I want to say that when the committee considered this bill it considered a number of bills involving both the question of safety of life at sea and the question of financial responsibility.

I personally am somewhat disappointed that we did not go further than we did on the question of safety. However, I have been around here long enough to take a step at a time if we are going in the right direction. As will be noted in the committee report, the committee has declared its intention to keep a close observation on this situation and to take the matter up once again if we find that the international agreements do not afford satisfactory protection to the traveling public on these cruises.

Certainly I think every member of our committee is determined to do whatever we can do to see that we do not have another *Morro Castle* disaster. If that seems rather a long time ago, I can remind the House of the tragedy of the cruise ship *Lakonia*, which was not out of our ports but might well have been. It was out of Great Britain, but there was a great and tragic loss of life in that instance.

Mr. Speaker, I urge the adoption of the motion of the gentleman from Maryland, and under leave to revise and extend my remarks will place in the RECORD some further comments on this bill.

H.R. 10327 was introduced by the gentleman from Maryland the Honorable EDWARD A. GARMATZ, Member of Congress. It was transmitted by Executive Communication No. 1368 from the Federal Maritime Commission.

The purpose of H.R. 10327 is to prevent financial loss and hardship to the American traveling public, who, after payment of cruise passage money, are stranded by the abandonment or cancellation of the cruise. This is a problem which has arisen in recent years owing to the unprecedented growth of ocean cruises from U.S. ports.

In addition to H.R. 10327, the Committee on Merchant Marine and Fisheries held hearings on several other bills introduced to remedy the same problem. These other bills provided for licensing by the Secretary of the Treasury who administers our coastwise laws.

After hearing considerable testimony on the subject of ocean cruises, the committee ordered H.R. 10327, as amended, reported out favorably.

The gist of H.R. 10327, as amended, is that it requires the filing of certain data with the Federal Maritime Commission before a person shall arrange, offer, advertise or provide an ocean cruise. There is no licensing requirement, as was provided for in the other bills.

DATA TO BE FILED

The data required to be filed by the offerer of the ocean cruise includes:

First. The name, address, and citizenship of the offering person.

Second. The name, registry, official number, flag and tonnage of the vessel to be employed in the ocean cruise.

Third. The itinerary of the ocean cruise.

Fourth. A warranty that the vessel to be employed in the ocean cruise will be in a seaworthy and safe condition, and will conform to all applicable laws, treaties, and regulations at the time of the commencement of the ocean cruise.

Fifth. Evidence of financial responsibility or, in lieu thereof, a bond or other security.

AMENDMENTS

The committee amended H.R. 10327 so as to make it applicable to all vessels, and not just chartered vessels as originally proposed. Testimony indicated that there was no reason for the distinction between chartered and owned vessels.

The committee also made provision for filing with the Federal Maritime Commission of a warranty concerning the condition of the vessel at the time of the commencement of the cruise—see No. 4 above. It is hoped that this provision, coupled with the penalty provision of the bill, will have a salutary effect upon persons engaged in the cruise business, resulting in a closer scrutiny of the condition of such vessels before being employed in ocean cruises. The recent tragedy of the cruise ship SS *Lakonia* in December 1963 attests to the need for this minimal requirement.

Finally, the committee provided that evidence of financial responsibility may be accepted in lieu of filing a bond. The original bill provided only for the filing of a bond. The provision was made in the alternative in recognition of the fact that most operators are financially responsible and have adequate assets in the United States against which an aggrieved party could proceed.

COST

Enactment of H.R. 10327 will entail no substantial additional expense to the Government. The staff has been advised informally by the Federal Maritime Commission that it estimates an annual increased cost of about $100,000 for the first year. This estimate would cover the expenses of about six investigators, travel expenses, administration. It is possible that this cost will decrease after the first year, during which period there would be the expense, included in the estimate of $100,000, of hearings to establish regulations.

REPORTS

All department reports and foreign steamship operators favored enactment of H.R. 10327 as originally introduced. There have been no adverse comments from either of these sources concerning the amendments to H.R. 10327 which have been published in the press.

Mr. GARMATZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia [Mr. DOWNING].

Mr. DOWNING. Mr. Speaker, I rise in full support of this legislation. It is highly desirable and needed. The subcommittee as well as the full Committee on Merchant Marine and Fisheries passed this bill unanimously, and I urge its adoption.

Mr. ROGERS of Florida. Mr. Speaker, I rise in support of this legislation. The committee has done an excellent job in acting in the best interests of the traveling public, and has thus performed in a manner which merits the support of each Member of the Congress.

This legislation is intended to affect two areas of vital concern to the American traveling public—performance of the cruise and safety aboard the cruise ship.

By requiring some evidence of financial responsibility, the bill before the House today will halt situations similar to that which occurred frequently in the past, namely passengers, many of them vacationers, being left holding their luggage at the docks because the operator of a foreign-flag cruise ship was unable to perform as scheduled. By requiring evidence of a foreign cruise ship operator being financially able to deliver as scheduled, this legislation is equalizing a difference, or inequity, because it will bring foreign operators up to the same standards now imposed upon American cruise ships, who must file evidence of responsibility with the Maritime Administration.

Furthermore, American ship operators must meet safety standards set by the Coast Guard. The legislation before the House today would affect the safety and seaworthiness of foreign cruise ships by requiring the party filing evidence of financial responsibility to attest to the safety of his vessel.

This legislation guarantees the liability of foreign ships for performance of the cruise contracted for. It guarantees that

assets be available within the jurisdiction of the United States for those who have suffered as a lack of the foreign operators' performance.

It also reinforces the International Convention for the Safety of Life at Sea, to which the United States is signatory, and does so by giving traveling Americans better guarantees of safety and liability where travel aboard foreign ships is involved.

I urge all Members of the Congress who are concerned about their constituents vacationing free from hazard and tragedy to support this legislation.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Maryland that the House suspend the rules and pass the bill H.R. 10327.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SHIP MORTGAGE BONDS

Mr. GARMATZ. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2118) to amend sections 9 and 37 of the Shipping Act, 1916, and subsection O of the Ship Mortgage Act, 1920, with a committee amendment.

The Clerk read as follows:

S. 2118

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 9 of the Shipping Act, 1916 (46 U.S.C. 808), is amended by inserting a new paragraph between the existing third and fourth paragraphs thereof as follows:

"The issuance, transfer, or assignment of a bond, note, or other evidence of indebtedness which is secured by a mortgage of a vessel to a trustee or by an assignment to a trustee of the owner's right, title, or interest in a vessel under construction, to a person not a citizen of the United States, without the approval of the Secretary of Commerce, is unlawful unless the trustee or a substitute trustee of such mortgage or assignment is approved by the Secretary of Commerce. The Secretary of Commerce shall grant his approval if such trustee or a substitute trustee is a bank or trust company which (1) is organized as a corporation, and is doing business, under the laws of the United States or any State thereof, (2) is authorized under such laws to exercise corporate trust powers, (3) is a citizen of the United States, (4) is subject to supervision or examination by Federal or State authority, and (5) has a combined capital and surplus (as set forth in its most recent published report of condition) of at least $3,000,000. If such trustee or a substitute trustee at any time ceases to meet the foregoing qualifications, the Secretary of Commerce shall disapprove such trustee or substitute trustee, and after such disapproval the transfer or assignment of such bond, note, or other evidence of indebtedness to a person not a citizen of the United States, without the approval of the Secretary of Commerce, shall be unlawful. The trustee or substitute trustee approved by the Secretary of Commerce shall not operate the vessel under the mortgage or assignment without the approval of the Secretary of Commerce. If a bond, note, or other evidence of indebtedness which is secured by a mortgage of a vessel to a trustee or by an assignment to a trustee of the owner's right, title, or interest in a vessel under construction, is issued, transferred, or assigned to a person not a citizen of the United States in violation of this section, the issuance, transfer, or assignment shall be void."

SEC. 2. Section 37 of the Shipping Act, 1916 (46 U.S.C. 835) is amended as follows:

(a) By relettering the existing subsections (c), (d), and (e) as (d), (e), and (f) and by inserting a new subsection (c) as follows:

"(c) To issue, transfer, or assign a bond, note, or other evidence of indebtedness which is secured by a mortgage of a vessel to a trustee or by an assignment to a trustee of the owner's right, title, or interest in a vessel under construction, or by a mortgage to a trustee on a shipyard, drydock, or shipbuilding or shiprepairing plant or facilities, to a person not a citizen of the United States, unless the trustee or a substitute trustee of such mortgage or assignment is approved by the Secretary of Commerce: *Provided, however,* That the Secretary of Commerce shall grant his approval if such trustee or a substitute trustee is a bank or trust company which (1) is organized as a corporation, and is doing business, under the laws of the United States or any State thereof, (2) is authorized under such laws to exercise corporate trust powers, (3) is a citizen of the United States, (4) is subject to supervision or examination by Federal or State authority, and (5) has a combined capital and surplus (as set forth in its most recent published report of condition) of at least $3,000,000; or for the trustee or substitute trustee approved by the Secretary of Commerce to operate said vessel under the mortgage or assignment: *Provided further,* That if such trustee or a substitute trustee at any time ceases to meet the foregoing qualifications, the Secretary of Commerce shall disapprove such trustee or substitute trustee, and after such disapproval the transfer or assignment of such bond, note, or other evidence of indebtedness to a person not a citizen of the United States, without the approval of the Secretary of Commerce, shall be unlawful; or".

(b) By inserting a new paragraph between the existing second and third paragraphs thereof as follows:

"If a bond, note, or other evidence of indebtedness which is secured by a mortgage of a vessel to a trustee or by an assignment to a trustee of the owner's right, title, or interest in a vessel under construction, or by a mortgage to a trustee on a shipyard, drydock or shipbuilding or shiprepairing plant or facilities, is issued, transferred, or assigned to a person not a citizen of the United States in violation of subsection (c) of this section, the issuance, transfer or assignment shall be void."

SEC. 3. Subsection O of the Ship Mortgage Act, 1920 (46 U.S.C. 961), is amended by relettering the existing paragraph (e) as paragraph (f) and by inserting a new paragraph (e) as follows:

"(e) No bond, note, or other evidence of indebtedness which is secured by a mortgage of a vessel to a trustee may be issued, transferred, or assigned to a person not a citizen of the United States, without the approval of the Secretary of Commerce, unless the trustee or substitute trustee of such mortgage is approved by the Secretary of Commerce. The Secretary of Commerce shall grant his approval if such trustee or substitute trustee is a bank or trust company which (1) is organized as a corporation, and is doing business, under the laws of the United States or any State thereof, (2) is authorized under such laws to exercise corporate trust powers, (3) is a citizen of the United States, (4) is subject to supervision or examination by Federal or State authority, and (5) has a combined capital and surplus (as set forth in its most recent published report of condition) of at least $3,000.000. If such trustee or a substitute trustee at any time ceases to meet the foregoing qualifications, the Secretary of Commerce shall disapprove such trustee or substitute trustee, and after such disapproval the transfer or assignment of such bond, note, or other evidence of indebtedness to a person not a citizen of the United States, without the approval of the Secretary of Commerce, shall be unlawful. If a bond, note, or other evidence of indebtedness which is secured by a mortgage of a vessel to a trustee is issued, transferred, or assigned to a person not a citizen of the United States in violation of this paragraph, the issuance, transfer, or assignment shall be void."

SEC. 4. Bonds, notes, and other evidence of indebtedness which are secured by a mortgage of a vessel to a trustee or by an assignment to a trustee of the owner's right, title, or interest in a vessel under construction which have heretofore been issued, transferred, or assigned, or are issued, transferred, or assigned within one year after the enactment of this Act, to a person not a citizen of the United States without the approval of the Secretary of Commerce are valid in the hands of such person and the validity and preferred status of such mortgage and the validity and lawfulness of such issuance, transfer, or assignment shall not be affected by such issuance, transfer, or assignment if the trustee or a substitute trustee is approved by the Secretary of Commerce within one year after enactment of this Act, under the standards for trustees specified in the amendments made by this Act to sections 9 and 37 of the Shipping Act, 1916, and to subsection O of the Ship Mortgage Act, 1920.

The SPEAKER pro tempore. Is a second demanded?

Mr. MAILLIARD. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Maryland [Mr. GARMATZ] is recognized for 20 minutes, and the gentleman from California [Mr. MAILLIARD] is recognized for 20 minutes. The Chair now recognizes the gentleman from Maryland.

Mr. GARMATZ. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, until fairly recent years it was the practice of the Government to finance needed construction of American merchant vessels—especially those designed to serve essential trade routes—through direct Government loans secured by Government-held mortgages. This was a simple and effective method—but it required heavy initial outlay by the Government. More recently legislation was enacted which would accomplish the same general result; minimize the direct burden on the Government; and encourage public participation in ship financing.

To this end the purpose of the bill, S. 2118, is to facilitate the sale of bonds issued under trust indentures in connection with mortgages on merchant vessels. This clarifying legislation is necessary to remove uncertainty which has developed in the American financial market as to the preferred status of mortgages and the validity of bonds issued to secure such mortgages, whether or not issued by the Government under title XI of the Merchant Marine Act of 1936. The uncertainty results from a recent

Federal court decision involving interpretations of certain portions of the Shipping Act of 1916 and the Ship Mortgage Act of 1920.

This bill would amend pertinent provisions of the Shipping Act, 1916, and the Ship Mortgage Act, 1920, to cure certain problems with respect to ship financing which were created by the decision of the Court of Appeals, Fourth Circuit, in Chemical Bank New York Trust Company, Trustee, Mortgagee, against Steamship *Westhampton* decided April 5, 1965. The case involved a mortgage on an American-flag ship given to a U.S. citizen trustee to secure a bond held by an alien. The court held that the mortgage was not entitled to preferred status under the 1920 act because the bond which was secured by the mortgage was an "interest" in a ship under section 37 of the 1916 act and the issuance of the bond to the alien had not been approved by the Secretary of Commerce pursuant to that section.

This clarifying legislation is important and urgent because of the great uncertainty it has caused with regard to ship financing affecting both outstanding and future bond issues secured by mortgages under trust indentures involving broad investor participation.

Indications are that because of the doubts and concern in the financial market created by the *Westhampton* case the financing of our ship replacement program will be either jeopardized or available only at substantially higher costs, unless appropriate legislation is enacted promptly.

To clarify the matter and to continue the policy of the United States of encouraging low interest private financing for the construction and reconstruction of American-flag ships, while at the same time limiting the possibility of foreign control of such ships, S. 2118, as amended by your committee, would provide—

First, that bonds secured by a mortgage on a ship to a trustee or by an assignment to a trustee of the owner's interest in a ship under construction may, without the approval of the Secretary of Commerce, be sold to noncitizens if the trustee is approved by the Secretary under the standards specified in the bill;

Second, that any trustee so approved shall not operate the mortgaged vessel without the approval of the Secretary;

Third, that sales of bonds to noncitizens in violation of the amendment are void; and

Fourth, that bonds held by noncitizens and sold before the effective date of the act or within 1 year thereafter, are valid, and the mortgages securing such bonds are valid and preferred, if the trustee is approved by the Secretary within such year under the specified standards.

As the bill passed the Senate it provided that its provisions should not be applicable to any related matter in litigation on the date of enactment. The committee amended the Senate bill so as to remove the exception of cases in litigation.

Prompt enactment of this legislation is important—

First, to stabilize and bring about certainty in the mortgage/bond financing of ships for the future;

Second, to remove doubts from the financing of ships that are already under contract; and

Third, to provide adequate safeguards against alien control of American merchant ships.

Mr. MAILLIARD. Mr. Speaker, S. 2118, as amended, would amend sections 9 and 37 of the Shipping Act, 1916, and subsection O of the Ship Mortgage Act, 1920.

The purpose of S. 2118 is to clarify and remove uncertainty which has developed in the financial market concerning the preferred status of mortgages and the validity of bonds issued to secure such mortgages. This uncertainty arose as a result of a decision by the Court of Appeals, Fourth Circuit, in April of this year, in the case of Chemical Bank Trust Company, Trustee, Mortgagee against Steamship *Westhampton*. In that case, the court held that the mortgage was not entitled to preferred status under the Mortgage Act, 1920, because the bond secured by the mortgage was an "interest" in the vessel, coupled with the fact that the issuance of the bond to an alien had not been approved by the Secretary of Commerce, pursuant to section 37 of the Shipping Act, 1916. Heretofore, by virtue of an administrative ruling, the Maritime Administration had looked only to the citizenship of the trustee, not the bondholder as did the court.

The Shipping Act, 1916, and the Ship Mortgage Act, 1920, represent countervailing policies, which S. 2118 seeks to clarify. On the one hand, to prevent alien control of the American merchant marine certain sections of the Shipping Act, 1916, were enacted requiring prior approval of the Secretary of Commerce where alien ownership was involved. On the other hand, the Ship Mortgage Act, 1920, was enacted to encourage low-interest rates, flexibility, and certainty in financing the construction and reconstruction of U.S.-flag ships.

This, of course, was to attract both American and foreign capital. In this connection, the committee, like the Maritime Administration, has been of the opinion that the citizenship of the trustee is determinative in the reconciliation of these two policies. It is to clarify this opinion, while preserving the policy against alien control, that enactment of S. 2118 is now sought.

THE AMENDMENT

The Committee on Merchant Marine and Fisheries amended S. 2118 by striking the last sentence of section 4 of the bill. This sentence expressly preserved the rights of litigants in three cases now pending before the courts. The purpose of the Senate in making such provision was to avoid having Congress intercede in the pending litigation. Your committee felt that this purpose could best be provided by deleting any reference whatsoever to pending litigation, leaving the matter entirely up to the courts.

It should be recognized, however, that S. 2118 is a curative statute:

> The general rule against restrospective operation is inapplicable to curative statutes, which by their very nature are designed to affect the past. Ordinarily curative acts apply to pending proceedings." (82 C.J.C. 430.)

Yet, in determining the applicability of the statute, the courts will probably endeavor to uphold its constitutionality, and, if, therefore, there is any question of vested rights, would not apply the statute retroactively. Notwithstanding this, there is precedent for such congressional action—*McFaddin* v. *Evans-Snider Buel Co.*, 185 U.S. 505 (1902) in an analagous situation. In the McFaddin case, there was a validation by statute of a prior mortgage of personal property invalid because improperly recorded. The U.S. Supreme Court held that this did not deny due process of law to a judgment creditor seeking to levy an attachment on the mortgaged property. In that same case, the Court quoted from *Freeborn* v. *Smith*, 2 Wall. 160, 69 U.S. 160 (1864), noting, in part:

> It is well settled that where there is no direct constitutional prohibition, a State may pass retrospective laws, such as, in their operation may affect suits pending, and give to a party a remedy which he did not previously possess, or modify an existing remedy, or remove an impediment in the way of legal proceedings * * * Such acts are of a remedial nature, and are the peculiar subject of legislation. They are not liable to the imputation of being assumption of judicial powers.

Accordingly, any litigation surrounding the current bill would turn on the issue of whether there were "vested rights" which were violated. It is arguable that there are such "vested rights" in the *Westhampton* case, which is subject to a petition for reconsideration and possible appeal. As for the other two cases, there is no evidence that they have proceeded to a final judgment so as to result in any "vested rights."

It was in recognition of these factors, coupled with the overriding interest in balancing the equities so as not to frustrate a $400 million ship replacement program for the American merchant marine, that the committee so amended S. 2118. Moreover, the General Counsel for the Maritime Administration testified before the committee that he would prefer to have the legislation curative of all cases.

Enactment of S. 2118 would involve no additional cost to the Government.

Mr. ADAIR. Mr. Speaker, will the gentleman yield?

Mr. MAILLIARD. I yield to the gentleman from Indiana.

Mr. ADAIR. Mr. Speaker, I would like to say to the House in this connection that I have made inquiry of the Department of State as to the attitude of the Department with respect to this bill. From a high and responsible official in the Department, given to me by phone, I was assured that the Department would look with favor upon the House version of this proposal. It is,

therefore, my feeling that the House version should be supported.

Mr. MAILLIARD. I thank the gentleman.

Mr. GARMATZ. Mr. Speaker, I yield such time as he may require to the gentleman from Virginia [Mr. DOWNING].

Mr. DOWNING. Mr. Speaker, the purpose of this legislation is remedial. It is designed to clarify and to limit the effect of a decision of the U.S. Court of Appeals for the Fourth Circuit in the case of *Chemical Bank New York Trust Company* v. *The Steamship "Westhampton"* (Nos. 9637 and 9638, decided Apr. 5, 1965).

Without going into all of the details of this case, it is sufficient to say that this decision of the court, holding that a mortgage to an American-citizen trustee where the bondholder or ultimate beneficiary is an alien is not a valid first preferred mortgage, has had a very serious effect upon all mortgage bond financing of American-flag ships. The decision has in particular cast doubts upon all of the bonds now outstanding under the title XI program whereby the United States guarantees the principal and interest of such bonds. At the present time there are outstanding insured bonds in the amount of about $242 million. If anyone should challenge these bonds the United States would be called upon to meet the Government guarantee or to proceed with endless litigation.

But more importantly the decision is impeding new financing of replacement ships. As you know money has a price. If there is any doubt about the security offered for a loan it is easier for the lender to say no or to raise the interest rate to compensate for the risk expected.

Hence we have a matter of extreme urgency. For years Congress has exacted numerous laws to expedite vessel replacement. If the desired replacement program is to be carried out, this legislation must be passed. The overall implications of the *Westhampton* case and the effect upon our replacement program are much more important considerations than the effect of this legislation upon one court decision. Congress should not sit as a court, but we must act to protect our ship replacement program.

The SPEAKER pro tempore. The question is, Will the House suspend the rules and pass the bill S. 2118, as amended?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CAPTIONED FILMS FOR THE DEAF

Mr. DENT. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2232) to amend the act entitled "An act to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf," approved September 2, 1958, as amended, in order to further provide for a loan service of educational media for the deaf, and for other purposes.

The Clerk read as follows:

S. 2232

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf", approved September 2, 1958, as amended (42 U.S.C. 2491 et seq.), is hereby amended to read as follows:

"That the objectives of this Act are—

"(a) to promote the general welfare of deaf persons by (1) bringing to such persons understanding and appreciation of those films which play such an important part in the general and cultural advancement of hearing persons, (2) providing through these films, enriched educational and cultural experiences through which deaf persons can be brought into better touch with the realities of their environment, and (3) providing a wholesome and rewarding experience which deaf persons may share together; and

"(b) to promote the educational advancement of deaf persons by (1) carrying on research in the use of educational media for the deaf, (2) producing and distributing educational media for the deaf and for parents of deaf children and other persons who are directly involved in work for the advancement of the deaf or who are actual or potential employers of the deaf, and (3) training persons in the use of educational media for the instruction of the deaf.

"SEC. 2. As used in this Act—

"(1) The term 'Secretary' means the Secretary of Health, Education, and Welfare.

"(2) The term 'United States' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, and American Samoa.

"(3) The term 'deaf person' includes a person whose hearing is severely impaired.

"SEC. 3. (a) In order to carry out the objectives of this Act, the Secretary shall establish a loan service of captioned films and educational media for the purpose of making such materials available in the United States for nonprofit purposes to deaf persons, parents of deaf persons, and other persons directly involved in activities for the advancement of the deaf in accordance with regulations promulgated by the Secretary.

"(b) In carrying out the provisions of this Act, the Secretary shall have authority to—

"(1) acquire films (or rights thereto) and other educational media by purchase, lease, or gift;

"(2) acquire by lease or purchase equipment necessary to the administration of this Act;

"(3) provide for the captioning of films;

"(4) provide for the distribution of captioned films and other educational media and equipment through State schools for the deaf and such other agencies as the Secretary may deem appropriate to serve as local or regional centers for such distribution;

"(5) provide for the conduct of research in the use of educational and training films and other educational media for the deaf, for the production and distribution of educational and training films and other educational media for the deaf and the training of persons in the use of such films and media;

"(6) utilize the facilities and services of other governmental agencies; and

"(7) accept gifts, contributions, and voluntary and uncompensated services of individuals and organizations.

"SEC. 4. There are hereby authorized to be appropriated not to exceed $3,000,000 annually for each of the fiscal years 1966 and 1967, $5,000,000 annually for each of the fiscal years 1968 and 1969, and $7,000,000 annually for fiscal year 1970 and each succeeding fiscal year thereafter.

"SEC. 5. (a)(1) For the purpose of advising and assisting the Secretary of Health, Education, and Welfare (hereinafter in this section referred to as the 'Secretary') with respect to the education of the deaf, there is hereby created a National Advisory Committee on Education of the Deaf, which shall consist of twelve persons, not otherwise in the employ of the United States, appointed by the Secretary without regard to the civil service laws.

"(2) The membership of the Advisory Committee shall include educators of the deaf, persons interested in education of the deaf, educators of the hearing, and deaf individuals.

"(3) The Secretary shall from time to time designate one of the members of the Advisory Committee to serve as Chairman of the Advisory Committee.

"(4) Each member of the Advisory Committee shall serve for a term of four years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term, and except that the terms of the office of the members first taking office shall expire, as designated by the Secretary at the time of appointment, three at the end of the first year, three at the end of the second year, three at the end of the third year, and three at the end of the fourth year after the date of appointment.

"(5) A member of the Advisory Committee shall not be eligible to serve continuously for more than one term.

"(b) The Advisory Committee shall advise the Secretary concerning the carrying out of existing and the formulating of new or modified programs with respect to the education of the deaf. In carrying out its functions, the Advisory Committee shall (A) make recommendations to the Secretary for the development of a system for gathering information on a periodic basis in order to facilitate the assessment of progress and identification of problems in the education of the deaf; (B) identify emerging needs respecting the education of the deaf, and suggest innovations which give promise of meeting such needs and of otherwise improving the educational prospects of deaf individuals; (C) suggest promising areas of inquiry to give direction to the research efforts of the Federal Government in improving the education of the deaf; and (D) make such other recommendations for administrative action or legislative proposals as may be appropriate.

"(c) The Secretary may, at the request of the Advisory Committee appoint such special advisory professional or technical personnel as may be necessary to enable the Advisory Committee to carry out its duties.

"(d) Members of the Advisory Committee, and advisory or technical personnel appointed pursuant to subsection (c), while attending meetings or conferences of the Advisory Committee or otherwise serving on business of the Advisory Committee, shall be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day including traveltime and while serving away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

"(e) The Advisory Committee shall meet at the request of the Secretary, but at least semiannually."

The SPEAKER pro tempore. Is a second demanded?

Mr. GLENN ANDREWS. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. DENT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. POWELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. POWELL. Mr. Speaker, Sophocles once said that ears are eyes to the blind. Today in rising to urge you to support S. 2322, a bill to provide captioned films for the deaf, I ask that we expand our current program of giving eyes to the deaf so that they may hear. Sometimes during the course of debate on this House floor I half wish that I could not listen to all that is being said. But to a child whose language habits are formed by listening to his parents and teachers, nothing could be more educationally impairing than deafness.

Since 1958 we have had in operation a Federal program for providing captioned movies for distribution among the deaf population of this country. At the rate of $1½ million a year we have been sending feature films and instructional ones to adult and classroom groups throughout the United States.

Given the immensity of the task of overcoming the intellectual handicap of the deaf child, of preparing him to meet the challenge of the working world, this sum is insufficient and the limitation of the program to movies inadequate. We have to make use of all available educational media on a comprehensive basis and to do that we need more money, twice the amount we have been authorizing for fiscal years 1966 and 1967, with a step increase to $5 million in 1968–69 and $7 million for 1970 and after.

What will this increased authorization buy? Considerably more educational films so that at least 1,200 captioned titles will be made available and schools for the deaf can afford to escalate their acquisition rate of titles. The films will be more frequently in color to which children respond better. Mature films will be designed to offer intellectual stimulation for serious, adult audiences.

But more and better films will not be the only items produced, acquired, and distributed. This bill contemplates increased communication with the deaf through programed instruction, captioned educational television, and other specialized teaching tools. Equipment for using these materials will be supplied. Research will be undertaken to determine the best integrated, systematic approach to the entire problem of reaching the deaf.

As a corollary to these provisions for goods there will be expanded training programs for those who intend to use them—the teachers who instruct the deaf, the parents of the deaf, and, of great significance boosting the placement of the deaf in skilled jobs, their employers.

All of these diverse approaches to developing educational services for the deaf will be effectively coordinated and supervised by a National Advisory Committee on Education of the Deaf working in conjunction with the Secretary of Health, Education, and Welfare. This Committee and this bill will make it certain that the Biblical command will be fulfilled, albeit, in paraphrase: "He that had no ears to hear, let him see."

Mr. DENT. Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. CAREY].

Mr. CAREY. Mr. Speaker, this represents another step, a necessary step in curing some of the very obvious deficiencies in the education of deaf persons uncovered in hearings by our subcommittee and the full Committee on Education and Labor.

Mr. Speaker, prior to this time we have seen the passage and the signature of the President on the bill to establish a National Technical Institute for the Deaf. Later on in this session, after investigation, research and hearings, it came to light that the captioned film program for the deaf was woefully in need of expansion and extension.

This bill would bring up to date these films which have been eminently successful and highly effective in bringing communication to those who are in dire need because of their complete lack of hearing.

Mr. Speaker, the hearings in the committee showed very clearly that there are tragic deficiencies in the elementary education of the deaf. For instance, many Members of the House, and I am sure many members of the committee here today, would not have known about these deficiencies except for these hearings. Tragically there does not exist in the entire United States a good 4-year high school program for deaf persons.

Mr. Speaker, to move into this void we seek in this bill to bring to bear all of the new educational media which can be used to improve and increase the receptivity of deaf persons.

This bill, if enacted, will bring about better captioning and will make more film libraries available to the deaf and will add to the extent of those libraries. It would bring into the hands of the educators of the deaf special equipment such as projectors and other devices which are now in the hands of those who teach the normal child and the exceptional child. It would bring the deaf person in education up to the level of others who are now moving so well ahead.

In addition, Mr. Speaker, it will bring to the deaf person the participation by parents of the deaf and those who care for the deaf in the use of those materials which have proven so effective in the handling of key subject matter. It will bring into being new techniques which are being developed so that deaf persons for the first time can move into the activities of the community where all of us live and enjoy such things as television, movies, and screening of up-to-date events. These are not available to them now, because they simply cannot find out what is going on in the world around them.

In urging the House to pass this act for the expansion of the captioned films for the deaf program I would like to direct your attention to some of the exciting possibilities which it offers. I say "exciting" because I believe that any program which contributes significantly to elevating and uplifting people—particularly people who are handicapped—is truly exciting. This program and this bill have such potentials.

In the first place it is a broadly ranging act, embracing all kinds of communication media that may help to overcome the communication problems of the deaf. And I assure you, these problems are severe. Most deaf people lost their hearing before reaching the age where speech normally develops in the hearing child. As a consequence, they have no language. Perhaps the enormity of this handicap can be better understood by imagining that you suddenly find yourself on some distant planet among a superior race that communicates by an inaudible electronic system. Your hearing is completely useless. In their terms of communication you have no language and no means of understanding or of conveying your own ideas except by signs and gestures.

Such is the lot of the deaf child. In most instances his parents know little or nothing about deafness—may have never seen a deaf person. They need help to understand the child and his problems. They need help in meeting their own emotional problems arising out of having a handicapped child. They need help in finding out what they can do and how to go about getting this child started toward a useful, happy life.

S. 2232 provides authorization to supply this help and more. Assistance to parents can be provided, for example, through cartridge motion pictures which are easily sent through the mails and easily projected by a small, inexpensive projector that even a child can operate. Help for parents can be provided through training institutes made possible under the language of this act. It can be provided through television broadcasts made possible by the multimedia approach of this new law.

Services such as these are not limited to the parents of deaf children but are authorized herein to be extended to teachers, rehabilitation workers, and other professional people who provide special help for the deaf. Oftentimes the deaf client of a social service for the handicapped or disadvantaged is the last to receive attention. The difficulties of his handicap are not so visibly apparent as those of the blind person or the crippled individual. And, in all likelihood, no one in the agency knows how to communicate with him. As a result, he is neglected.

By providing cartridge films which give instruction in manual communication, captioned films can help correct this situation. Service agencies can readily train personnel to communicate with the manual deaf so that they no longer need to be neglected and pushed aside. At the same time the agency can be provided

with films and other media for auditory training work, lipreading instruction and speech training and development to help the deaf client improve his own communication skills. Thus the bill provides a two-way street for improvement of communication.

Those who are familiar with the history of the education of the deaf know that Alexander Graham Bell, the inventor, virtually stumbled onto the idea of the telephone while trying to discover better methods of teaching the deaf to speak. Bell always referred to himself as a teacher of the deaf and, in fact, was married to a very gifted deaf woman. It is one of the ironies of fate that his invention of the telephone provided a leap forward in communication which, up to now, has worked to the disadvantage of the deaf. Many jobs which deaf people might otherwise hold are closed to them because they cannot use the telephone.

Recent developments in technology make it possible to overcome this deprivation in part. A simple device which can be carried in the pocket and used with a telephone enables the deaf person to dial his number, ask questions that can be answered by simple code such as one flash for "yes" two flashes for "no" and receive his answers by a light that blinks on his little device. Stimulation of research to find even better means of helping the deaf person to communicate are possible under this new act.

Motion pictures with captions have brought a great deal of pleasure and new recreational opportunity to hearing impaired people, but they are very much left out when it comes to television. Millions of people count television as an integral part of their daily lives. For the deaf, making their solitary way, this is something in another world. It is a tragic commentary that one of the few television programs which has been widely watched by the deaf was Mitch Miller's "Singalong With Mitch." They could not hear the music but they could read the captions. This points up their hunger to relate to the world as you and I know it.

This bill makes it possible to provide captions on television for the benefit of the deaf. One might say that the general audience would react unfavorably to this and that sponsors would not accept the idea. This may well be true, but it is quite within the realm of possibility to have a simple attachment for the TV receiver that will pick up captions and put them on the picture while those not having the attachment would never see the captions.

Now and then you have been watching some ordinary broadcast when a caption would flash on the screen saying "special news bulletin." You then hear a brief report of whatever the network thought was of sufficient importance to justify breaking into the regular broadcast. This newscast may be an announcer who is not seen or it may be by a visible speaker. In either case, it is impossible or extremely difficult for the deaf person to know what is going on—a frustrating and possibly a dangerous situation. The deaf want to know, too.

Under this pending legislation it will become feasible to explore the possibilities of adapting television to the needs of hearing impaired people. A representative of a leading electronics firm writes:

> I feel that this concept has exciting possibilities for use by deaf persons and by others when sound is not possible or desired. I believe that it can be justified economically and may prove to be less expensive on a per viewer basis than is now the case.

Permit me the question, If you were deaf and knew of the existence of these possibilities, how would you expect the Congress of the greatest, richest, and most powerful Nation in the world to vote on a bill that would bring these miracles within your actual reach?

In this session we have enacted a great medicare program. Did you ever stop to think that many of those older citizens who will benefit by that program are losing their hearing or may have lost it altogether? Through past years many of them have depended upon television as an important source of recreation and knowledge of the world. Then, as advancing age necessitates a less and less active life and greater dependence upon the experiences that can come to them, they are cut off from a principle source of those experiences through the loss of hearing. What a blessing it would be to them to provide new access through captioned television.

Mankind has lived through many historic ages. There was the Stone Age, the Bronze Age, the Iron Age, and today we live in the communication age. The very existence of human civilization as we know it depends, as never before, on full, unfettered communication. For the person devoid of or severely lacking in hearing, this truism takes on an added meaning. With the march of science, medicine may some day find a way to bypass the damaged ear or the nerve that supplies it so that the function of hearing may be reactivated through surgery or electronics or some combination of the two. But until that happy day it is our responsibility to help the deaf citizen to get through his eyes what is denied him through his ears. This is the intent and purpose of this law. It will help to fulfill urgent needs of a growing segment of our population as more and more people spend a longer span of their lives in the twilight years.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. CAREY. I yield to the gentleman from Iowa.

Mr. GROSS. I think the legislation is good, but I do not understand why we must create another commission to administer the legislation.

Mr. CAREY. I am very glad that the gentleman brings this up. The reason is that we found there is no agency in our Government today really carrying on a program for the education of deaf persons. Many State schools are deficient. Some State schools are very good. We want to bring to bear upon this problem the knowledge of those who know the most about educating the deaf. This is not going to be one of those commissions that meets here in Washington at the Hotel Mayflower or some of the other hotels, on an occasional visit to the Capital. This Commission is designed to ascertain what is wrong with the education of the deaf, why we lack so many skills in the teaching of the deaf, why deaf persons are not able to get into college and what has brought about this situation.

We have had a great many good reports coming in at random, but no organized attack on the education of the deaf.

I promise to the gentleman from Iowa that this will be a working Commission, and I shall see to that as a member of the Committee on Education and Labor that it will earn all of its pay, because a great deal can be done so that we can improve the education of deaf persons and ascertain why we are lagging so far behind in a field where something really can be done.

Mr. GROSS. If the gentleman will yield further, I am delighted to have that statement from the gentleman, because the implication as the gentleman has already said and as some of us have observed is that some of these advisory commissions do meet at some of the leading hotels and apparently live it up for a short time and we do not hear very much from them or receive very much benefit from some of them.

Mr. CAREY. I agree with the gentleman from Iowa.

Mr. GROSS. I am delighted to have the statement from the gentleman from New York.

Mr. CAREY. I am glad to say that we have come forth with a bill that will not provide for an advisory commission on top of an advisory commission.

Mr. GLENN ANDREWS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to identify myself with this very fine bill. Earlier we passed a Technical National Institute for the Deaf bill, which was for the higher education of the deaf people in America. This bill is aimed at primary and secondary levels. I have studied this matter, and I have found this to be a great need.

There are institutions for the training of the deaf in every State, and this bill before us simply makes available funds for the production of films, and other teaching techniques and instruments for the education of the deaf.

I was interested in the observation of the gentleman from Iowa [Mr. GROSS] that we will just create another body of 12 people to come up here and take charge. I should say that these technical advisers are necessary in this field. I would not be so much for the bill otherwise because it would hand to the Secretary of Health, Education, and Welfare too much technical matter he could not handle. Therefore I am pleased to identify myself with this bill, and favor its passage.

Coming from the State which produced the great Helen Keller and from a district which boasts of a fine school for the deaf in Talladega, I am particularly proud to identify myself with this legislation.

Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. AYRES] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. AYRES. Mr. Speaker, I am happy to support this legislation, which will be of inestimable benefit to those afflicted by deafness. This extremely laudable program was initiated during the administration of President Eisenhower, and with a very modest expenditure it has accomplished a great deal to enhance the cultural, entertainment, and educational experience of deaf persons.

Now it is apparent that we can do a great deal more by expanding this legislation to take account of the possibilities for using a wide range of communications media. This will permit a much more comprehensive approach to aiding the deaf, and will also permit us to expand those services which have already proved to be worthwhile. With increased funds, even though they are still at a modest level, we shall be able to assist even the families of the deaf to utilize modern media in the home environment.

Mr. Speaker, those of us blessed with adequate hearing can scarcely imagine the difficulties and emotional stress stemming from the loss or serious impairment of this faculty. The ability to speak is itself affected by deafness, and more particularly when deafness is congenital or when it comes at an early age. From my limited knowledge of this affliction, I think it takes a very special brand of courage to cope with it, and a very special kind of perseverance and dedication on the part of teachers, parents, and friends of the deaf who assist the afflicted person. Any effective help our Government can supply to these persons is many, many times repaid in economic as well as humanitarian terms.

The bill before us is only a part of our Government's continuing interest in this matter, but it is an important part. In my judgment it will make a significant contribution to the effort to bring more effective aid to the deaf. Accordingly, I urge speedy approval of S. 2232, and commend all of those in the Congress who have worked to bring it to enactment.

Mr. DENT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DENT. Mr. Speaker, hearings were conducted on several House bills, including H.R. 10768, which is identical to S. 2232. In order to expedite procedure, your committee elected to report the Senate number. The bill was reported unanimously.

This legislation expands the original act, Public Law 85–905 as amended by Public Law 87–715, which provided a loan service of captioned films for the deaf. S. 2232 will provide for the use of all educational media, rather than films alone, and for the distribution of such media to parents of deaf children and other persons who are directly involved in work for the advancement of the deaf or who are actual or potential employers of the deaf.

The bill also would create a National Advisory Committee on Education of the Deaf to advise and assist the Secretary of Health, Education, and Welfare. The 12 members of the Advisory Committee would include educators of the deaf, persons interested in the education of the deaf, educators of the hearing, and deaf individuals appointed by the Secretary.

Finally, the bill increases the authorization for this program from $1.5 million annually to $3 million for fiscal years 1966–67, $5 million for fiscal years 1968–69, and $7 million annually thereafter.

SECTION-BY-SECTION ANALYSIS

Section 1: This section states that this act amends the act entitled "An act to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf," approved September 2, 1958, as amended—42 U.S.C. 2491 et seq.—and it sets out the objectives of the act. These objectives are (a) to promote the general welfare of deaf persons by bringing to such persons understanding and appreciation of films which play an important part in the general and cultural advancement of hearing persons, providing through these films, enriched educational and cultural experiences through which deaf persons can be brought into better touch with the realities of their environment, and providing a wholesome and rewarding experience which deaf persons may share together, and (b) to promote the educational advancement of deaf persons by, first, carrying on research in the use of educational media for the deaf; second, producing and distributing educational media for the deaf and for parents of deaf children and other persons who are directly involved in work for the advancement of the deaf or who are actual or potential employers of the deaf; and, third, training persons in the use of educational media for the instruction of the deaf.

The objectives of the original act have been altered slightly to encourage research in the use of all educational media for the deaf rather than limiting such research to the use of films, and to authorize the production and distribution of educational media for parents and other persons with an interest in the advancement of the deaf.

Section 2: This section defines the terms "Secretary," "United States," and "deaf person," as they are used in this act.

Section 3: Subsection (a) of this section authorizes the Secretary of Health, Education, and Welfare to establish a loan service of captioned films and educational media for the purpose of making such materials available in the United States for nonprofit purposes to deaf persons, parents of deaf persons, and other persons directly involved in activities for the advancement of the deaf in accordance with regulations promulgated by the Secretary.

Under existing law, loan service facilities are available only to groups of deaf persons.

Subsection (b) authorizes the Secretary to, first, acquire films—or rights thereto—and other educational media; second, acquire equipment necessary to the administration of this act; third, provide for the captioning of films; fourth, provide for the distribution of captioned films and other educational media and equipment through State schools for the deaf and other agencies; fifth, provide for the conduct of research in the use of films and other educational media for the deaf, for the production and distribution of educational and training films and other educational media for the deaf, and for the training of persons in the use of such films and media; sixth, utilize the facilities and services of other governmental agencies; and seventh, accept gifts, contributions, and voluntary and uncompensated services of individuals and organizations.

This section changes existing law by including other educational media as well as films. The provision authorizing the Secretary to acquire equipment necessary to the administration of the act is new, and a provision of existing law which authorizes the Secretary to make use of films made available to the Library of Congress under the copyright laws is not included in this act.

Section 4: This section authorizes the appropriation of an amount not to exceed $3 million annually for each of the fiscal years 1966 and 1967, $5 million annually for each of the fiscal years 1968 and 1969, and $7 million annually for fiscal year 1970 and each succeeding fiscal year thereafter.

Section 5: Subsection (a) creates a National Advisory Committee on Education of the Deaf, consisting of 12 persons, not otherwise in the employ of the United States, appointed by the Secretary. This Committee is to advise and assist the Secretary with respect to the education of the deaf. The membership of the Advisory Committee shall include educators of the deaf, persons interested in education of the deaf, educators of the hearing, and deaf individuals. The Secretary shall from time to time designate one of the members of the Advisory Committee to serve as Chairman of the Advisory Committee. Each member of the Advisory Committee shall serve for a term of 4 years, except that any member appointed to fill a vacancy shall be appointed only for the remainder of the vacant term, and the terms of the members first taking office shall expire, as designated by the Secretary at the time of appointment, three at the end of the first year, three at the end of the second year, three at the end of the third year, and three at the end of the fourth year after the date of appointment. A member of the Advisory Committee shall not be eligible to serve continuously for more than one term.

Subsection (b) provides that the Advisory Committee shall advise the Secretary concerning programs for the education of the deaf. In carrying out its functions, the Advisory Committee shall

(A) make recommendations to the Secretary for the development of a system for gathering information on a periodic basis in order to facilitate the assessment of progress and identification of problems in the education of the deaf; (B) identify emerging needs respecting the education of the deaf, and suggest innovations which give promise of meeting such needs and of otherwise improving the educational prospects of deaf individuals; (C) suggest promising areas of inquiry to give direction to the research efforts of the Federal Government in improving the education of the deaf; and (D) make such other recommendations as may be appropriate.

Subsection (c) provides that the Secretary may, at the request of the Advisory Committee appoint such special advisory professional or technical personnel as may be necessary to enable the Advisory Committee to carry out its duties.

Subsection (d) provides for payment of expenses and compensation of the members of the Advisory Committee.

Subsection (e) provides that the Advisory Committee shall meet at the request of the Secretary, but at least semiannually.

Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'HARA] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, the captioned films for the deaf program, established under Public Law 85–905 and amended by Public Law 87–715 has rendered an invaluable service to the citizens of this country burdened with the handicap of deafness. The original act has as its purpose to provide captioned recreational films for a population group that, in the main, had been denied a popular medium of recreation. The success of this effort was immediate and it clearly pointed the way to the need for expansion of this service and an overwhelming demand for the move into the area of educational films. The amended law was designed to include a facility for research, services in production, and training in the use of films.

The importance and need for this amendment was lucidly brought out during special committee hearings. The need and value of film services for the overall educational, cultural, and recreational advancement of deaf people was strongly emphasized in the testimonies of 1962.

The results of such an expanded program have borne out the wisdom of the 87th Congress for such a provision.

Let me quickly cite some of the more significant examples of progress directed by captioned films for the deaf. Two hundred and sixty-two general interest films are now in circulation or on order. One hundred and thirty-six educational motion pictures are in use or on order. The total audience for recreational films and educational films and related film materials, for fiscal 1965, was 948,000. Captioned films now serves 1,150 groups. The present library consists of approximately 57,000 filmed items. This includes films, filmstrips, transparencies, and so forth. Sixty centers have been established for the distribution of educational films. Three centers handle general interest films.

In the relatively short time since the law was amended to include a research authority, much activity has ensued. A project to facilitate language instruction via a programed media technique has indicated that such a method will greatly accelerate the learning of language, which is the largest stumbling block for deaf children. This year the American Films Festival awarded the blue ribbon to materials developed in a project called sights and sounds. This is a project funded by captioned films that had as its purpose the development of auditory training materials for deaf children. Two hundred and twenty-five 8-millimeter cartridge films are being field tested to reinforce language and lipreading instruction. This is a multimedia system involving films, filmstrips, tapes, overheads, and learning stations.

Three summer workshops have pooled the thinking of highly qualified teachers from all over the United States. These curriculum workshops are studying and developing curriculum guides for deaf children that are up-to-date and replete with visal reinforcement.

In training, a field services training project in audiovisual techniques is covering the South and Southwest regions of the United States. Short-term workshops are introducing teachers to innovations in the audiovisual area and demonstrating effective uses of equipment. Part of this project involves an intensive, supervised long-term demonstration at two selected schools for the deaf. Certain classrooms have been extensively equipped to determine the value of a well-planned, supervised audiovisual approach.

Films are available to teach fingerspelling to house parents, parents, teachers, clergy, and others working with the deaf. This type of material can be very valuable to job placement officers, employers, and others associated with the vocational adjustment of the deaf worker.

Films have been developed specifically to train deaf students in keypunch operation. A large number of such people have been employed by the Internal Revenue Service in Philadelphia and there is need for many more such employees.

Teachers from all sections of the United States have written to the captioned films office, expressing their gratitude and high praise for filmstrips designed to accompany "My Weekly Reader" grades 2 and 3. "My Weekly Reader" is used by schoolchildren very extensively. Deaf children are in need of additional exposure and visual fortification of the printed word. Three hundred and sixty-five classes for the deaf have been using these filmstrips with splendid results. Ten films designed for language arts and training in lipreading have been produced for captioned films. These films are planned and produced with the hearing impaired child in mind.

Methods in teaching reading, language, and literature have been captured on film using live classroom demonstrations with master teachers at work.

The Secretary of HEW Advisory Committee on the Education of the Deaf has very strongly pointed out that immediate and intensive action must be taken to resolve the dilemma of "too little and too late" that characterizes the education of the deaf. Educators, employers, vocational rehabilitation people working with the deaf are far from satisfied with results they are achieving. The report referred to previously asks that all the advances made in education and technology be brought to bear, rapidly, to stave off establishment of a permanently regressive position for the deaf.

Although the numerous program accomplishments cited are laudable, they are only a small beginning in the long pull. The deaf adult still must see "Pillow Talk" in black and white. If you have seen this movie, you may recall that color is the highlight of Doris Day's ornate decorating job on wolf Rock Hudson's apartment. Very, very few captioned feature films are in color because of their higher cost.

A fairly complete library of educational films would number approximately 1,500 titles. The captioned film library has 136. Reports from the curriculum workshops have included many, many related films. Only a very small number are available so that a visually oriented course of study is weakened due to this lack. This is a real deficiency in schools for the deaf as they struggle to keep up with trends in regular public schools. Many more films are needed.

The language programing project mentioned has wide implications not only for deaf children but for foreign born, bilingual, and culturally deprived groups. Already this project is in its third phase and though the initial trials are extremely encouraging, the development of the complete package is a long way off. This is due to the limitation of personnel and funds to put this operation into high gear.

The value and impact of educational and closed circuit television is an accepted fact in educational circles. Even though the deaf are almost entirely dependent on vision for their learning, little or nothing has been done to utilize this very important tool. Plainly, it is just too expensive for individual schools and out of the realm of practicality under the present captioned films law.

The "Weekly Reader" filmstrips for grades 2 and 3 are very well received, but inquiries continue to come requesting filmstrips for grades 4, 5, and 6. This again points out that the first step has been taken but limitation of funds inhibit a complete program.

Personnel involved in curriculum workshops and teachers using captioned educational films are asking that filmstrips be produced to accompany the film so that preparation and/or review of the highlights of the film might be feasible.

Experience in the distribution of educational films shows that many schools

are not making full use of even the relatively slender library of materials presently available. This is explained largely by the fact that schools and classes for the deaf are grossly underequipped. They lack the projectors and other media hardware that is necessary to mount an effective audiovisual program. The whole object of a visual attack, of course, is to get the films and other media before the eyes of the children. Lacking equipment, schools find it impossible to educe the results that should flow from these new materials. The new act contemplates providing both materials and equipment in order that a full impact will be achieved. In a school situation where children experience special learning difficulties, it is not enough to provide the bare minimums of chalkboards, chalk, and erasers. Acceptance of this kind of situation is a strong contributing factor to the backward condition typical of too many schools for the deaf today. We must right this wrong, now.

In providing this equipment, it is important that the possibilities of a systems approach be given careful consideration. It is my understanding that the Office of Education is already planning in this direction, endeavoring to devise ways in which various units of audiovisual equipment will be made compatible and simple to operate. In achieving this objective, devices will perform more than one function and materials will be flexible in their uses. Experimentation in cross-media applications for the deaf become a new possibility under this act. Furthermore, the results of this research will not end with the completion of a project and the rendering of a final report but will move on directly to classroom application through the widened scope of this new law.

Utilization of new methodology and new techniques do not occur automatically. Congress recognized this by writing a training authority into the Captioned Films Act of 1962. To carry out this mandate, there has been established a regional demonstration project serving 14 Southern States. This is manned by two specialists and a part-time secretary but is obviously too small to have great effect. That program needs to be strengthened and similar projects should be set up to cover the East, the Middle West, and the Far West. The new law will make this possible.

In citing these numerous needs I have tried to indicate also that progress is being made. The Congress is to be complimented on having provided the legislative foundation and the economic support to make these achievements possible. But a foundation is not enough. We are now at a point where, building on the experience of these past 6 years, we can develop a program that will have far-reaching effects on the education of the deaf. Through this proposed expansion, it will be possible to reach the deaf child in the classroom, to reach him through timely assistance to his parents, and through services to rehabilitation workers, employers, and others to help pave the way for him first to be adequately educated and subsequently to find employment and a useful role in society. I strongly urge the approval of H.R. 10158 as a worthy member of the family of educational enactments passed by this 89th Congress.

In this country and at this time when we strive toward equal opportunity for all, certainly we owe this consideration to our deaf people. It is my sincere hope that this Congress will not let them down.

Mr. DENT. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. SCOTT] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SCOTT. Mr. Speaker, on every piece of social legislation two questions inevitably arise. One of these questions comes from the heart and the other originates in the pocket. The first question: Is this legislation humane—is it just? The second question: Is it practical—economically feasible? As legislators, we like to have a feeling that the measures we vote for have both of these characteristics.

Looking at S. 2232, which is identical to H.R. 10768, introduced by me, it seems to me that no one could raise a serious question about the humanity and the justice of this legislation. Everyone except the most callous person wants to see the handicapped citizen have a chance to secure an education, to make use of his talents, and to be a member of society who enjoys a sense of well-being insofar as his disabilities may permit. And in terms of helping to provide that educational opportunity and that sense of well-being this bill, I am convinced, has very real potential. The success that the captioned films program has had up to this point supports that proposition.

Now, what about the economics and the practical aspects of this bill in a fiscal sense and in a vocational and industrial sense?

According to the best available statistics, captioned films in the last year reached a total audience figure of about three-quarters of a million. This figure includes admissions to all kinds of showings—captioned Hollywood films, classroom motion pictures and so on. Prorated on this basis the cost per individual viewing was 20 cents. It is reasonable, therefore, to say that the treatment or therapy if one may so describe the service is quite economical. In expanding the program to take advantage of such mass media as television, the unit cost may possibly become even less. But, in any event, one could certainly say that in terms of service per dollar spent the program is commendably efficient. We are reaching the deaf with this program, and they strongly support the idea of an expanded program. What more do they ask for?

To answer that question, perhaps we should take a look at the deaf as they function in the business and industrial world. By and large, deaf people are not unemployed. They take pride in being self-supporting. It is significant, however, that 83 percent of deaf workers do common labor or unskilled tasks as against 53 percent unskilled for the population at large. A real need of the deaf, therefore, is some means of qualifying themselves for a better level of employment. This is one of the reasons that they are pressing for a more comprehensive film and media program.

Consider the problem of the deaf youth who is trying to prepare for entrance into the world of work. He knows that many occupations are closed to him, but because of his handicap he has difficulty in acquiring information about those which are not closed to the deaf and might be suitable for him. Films can help to provide that information. The AFL–CIO has a series of more than 100 films entitled "Americans at Work" that could be captioned and made available for vocational information. The need for these films is urgent. These and many others from American industry are available at no cost except that of captioning and making the prints. The expanded bill will provide for these costs and the staff necessary to adapt them to uses for the deaf.

Deaf people tend to concentrate in relatively few industries. The printing trade, for example, employs a large number of deaf men and some women as type compositors. Ability to concentrate in noisy work situations has won for them a solid acceptance in the graphic arts field. But this industry like many others is feeling the effects of automation. Tapes prepared by typists are now operating Linotype machines with the result that deaf people must begin to look for other fields of employment. Retraining will be necessary, and the proposed media program can help to provide that training, given adequate support.

As an example, normal commerce in the United States results in transactions totaling some $14 billion daily. Of this tremendous sum, more than 90 percent is in the form of checks. Processing of checks has become a huge business with great demand for people skilled in operation of the machines designed for this purpose. This is work that deaf people can do, but they need training. The captioned films program has already demonstrated the feasibility of training deaf people for keypunch operation by use of filmed lessons. The problem now is to extend these training opportunities to check proofing and any number of new occupations where deaf people can find employment and an opportunity to make a contribution to American economic life.

The problem is not simply one of providing a given number of class hours of instruction. Deaf people are individuals. They have their problems. Employers have their problems, too, in accepting them, in understanding them, and in making the fullest possible use of their talents. A media program such as that provided under this act will help to meet these needs. It can provide films for training in manual communication. At present nine short finger-spelling films are available. No less than 100 are needed. The program as envisioned will provide a package service to supply the employer or potential employer with a

set of cartridge films and a small projector a little larger than a lady's handbag with which he can readily learn manual communication. Having bridged the gap of communication, the problems of adjustments are greatly reduced.

This is true, not only in the actual work situation but with respect to vocational counselor or rehabilitation worker. The proposed act brings them within the purview of services so that they can be equipped with better working tools and given training opportunities to learn how to use those tools.

A special but important need for media geared to the vocational education and training of the deaf arises out of the establishment of the National Technical Training Institute of the Deaf. The founding of this institution is a great step forward. At the same time it creates demands for new educational media. As shown by the employment figures cited earlier, relatively few deaf people are employed in the more highly skilled occupations and professions. To train them for these kinds of work demands that suitable training courses be devised. Some of these will evolve out of programs already developed for normally hearing persons. By way of example there is a very comprehensive introductory course in electronics already available on films. With adequate captions and some revision this could be used in the National Technical Institute and would find other applications under the expanded training facilities of the new act.

In other industries where less attention has been given to development of training materials, new courses will have to be planned and the visuals developed for series of captioned films, filmstrips, overhead transparencies, and even televised courses. As occupations change with a developing technology, the deaf can be kept abreast of changing job requirements through these materials.

An important aspect of these training services will be extension courses for home study. Because of the severity of his language handicap, the deaf individual has difficulty in securing an adequate education during the normal period of formal schooling. But it is not feasible to keep him in school much beyond the length of time which other students attend. Most schools provide a 12- to 14-year program with graduation at age 18 to 20 years of age. In many instances the student at this age has not achieved much beyond a sixth grade education and often times less. His need for continuing home study in the common branches and in specialized courses leading toward better employment is obvious. To provide the materials for such courses through educational television and other media is one of the potentials and obligations under this act.

Another new application of media for the deaf exists in the potentialities of the Job Corps. A recent study made at the request of that agency indicates that there are a number of deaf youths who should be enrolled there. In all likelihood few special instructors can be provided since there is already a great shortage of trained teachers of the deaf to meet an increasing demand. The alternative is to provide instructional materials which the deaf trainee can use on his own or which can be readily utilized by the instructor who has no special knowledge or training regarding the education of the deaf.

These are but a few of the many instances where new media, new approaches, new thinking are necessary to the achievement of full employment and a busy, purposeful America. As man's ingenuity finds new ways to save labor, other ingenuity must be devoted to discovering means of useful employment of that labor. This is how we get ahead. The excellent record of the deaf citizens of our country in law-abiding, useful membership in our society gives them a legitimate claim on the right to play a continuing role and an improving role.

In the history of earlier times we learn that the deaf were outcasts, not eligible to own property nor to enjoy the rights which others took as a matter of course. Even today they still have severe problems in maintaining their right to operate motorcars, to buy insurance, to find employment under workman's compensation acts, and to secure a place of equality in society. Today we are taking giant strides forward in securing equality of opportunity for millions of our citizens who heretofore have not enjoyed that blessing. In making those rights secure, let us not forget the deaf who depend upon you and me to speak for them.

Mr. FOGARTY. Mr. Speaker, the legislation before us today proposes further assistance to deaf persons by allowing the use of all educational media in the struggle to provide adequate welfare services to the handicapped.

The legislation today constitutes a gesture of assistance.

First, this bill before us will expand the original act, Public Law 85–905, to include not only films and filmstrips but such media as programed instruction, educational television with captions added and other media.

Second, the bill could create a National Advisory Committee on Education of the Deaf. This 12-member Committee would include educators of the deaf, persons interested in education of the deaf, educators of the hearing, and deaf individuals—all to be appointed by the Secretary of the Department of Health, Education, and Welfare.

Finally, the bill increases the authorization for this program from $1,500,000 annually to $3 million for fiscal years 1966–67, $5 million for fiscal years 1968–69 and $7 million annually thereafter.

The needs of this legislation are obvious. In the 6 years of experimentation and provision of captioned films for the deaf, strong support has been evidenced by the physically handicapped themselves, by the parents and employers and by those directly involved in working with the deaf.

The method of attack here is quite direct. This legislation simply proposes the slight broadening of a program that has done much for the deaf in this country and expands it slightly to allow the use of other educational media.

While I am in accord with this legislation today, I would like to express my strong support now for further use of the educational media to help our handicapped. I have introduced a bill, H.R. 10562, which would extend the same kind of captioned film and other media for the use of all handicapped persons.

My legislation is based on a bill submitted by the gentleman from New York [Mr. CAREY], but it takes this gentleman's bill merely as a foundation upon which to build a much more comprehensive program.

My bill would extend help to all handicapped children through research, production of media, or loan services. The experimentation with the legislation currently before us on the floor today has proved that the media are particularly useful in the teaching of mentally retarded and visually impaired or blind children.

The method of attack proposed is straightforward and, in the future, I hope that Congress will broaden our loan services to help other handicapped persons.

GENERAL LEAVE TO EXTEND REMARKS

Mr. DENT. Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks at this point in the RECORD on the bill now being considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER pro tempore. The question is on suspending the rules and passing the bill.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

PERMISSIBLE USES OF JOINTLY ADMINISTERED UNION TRUST FUNDS

Mr. DENT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 10774) to amend section 302 of the Labor Management Relations Act, 1947, to broaden the permissible uses of trust funds to which employers contribute, and for other purposes.

The Clerk read as follows:

H.R. 10774

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 302(c)(5) of the Labor Management Relations Act, 1947, is amended—

(1) by striking out "the employees of such employer, and their families and dependents (or of such employees, families, and dependents jointly with the employees of other employers making similar payments, and their families and dependents)" and inserting in lieu thereof "the persons described in subsection (d), other than money or other thing of value so paid (except when paid by such representative) for the benefit of any person described in clause (2) thereof or a member of the family or a dependent of such a person",

(2) by striking out of clause (A) the following: "employees, their families and dependents" and inserting in lieu thereof "such persons",

(3) by inserting "death benefits" in clause (A) after "hospital care,",

(4) by striking out of clause (A) "of employees" where it appears after "death",

(5) by striking out of clause (B) the following: "with the employer, and employees and employers" and inserting in lieu thereof the following: "between the contributing employer and a labor organization or the trust fund, except that in case payments are to be made with respect to employees of the trust fund itself, the basis shall be specified in the trust agreement, and employees (but not employees of employer associations or the trust fund) and employers (but not employers which are labor organizations or individuals representing such employees or the trust fund)",

(6) by striking out of clause (C) the following: "for employees", and by inserting after "annuities" the following: ", or for death benefits".

SEC. 2. Section 302(a)(c)(6) of such Act is amended by inserting after "similar benefits," the following: "providing the benefits of recreation and health camps and facilities,".

SEC. 3. Section 302 of such Act is amended by redesignating subsections (d), (e), (f), and (g) as subsections (e), (f), (g), and (h), respectively, and inserting after subsection (c) the following new subsection:

"(d) The persons to whom subsection (c)(5) refers are—

"(1) any employee or former employee of an employer who made payments to the trust fund,

"(2) any employee or officer or former employee or officer of a labor organization or individual which is the representative of employees of such an employer for purposes of collective bargaining,

"(3) any employee or officer, or former employee or officer of an employer association which represents such an employer for purposes of collective bargaining,

"(4) any employee or officer or former employee or officer of the trust fund,

"(5) any self-employed person whose conditions of self-employment are regulated in whole or in part by a collective-bargaining agreement to which such an employer is a party, and any person who was formerly so self-employed, and

"(6) any member of the family and any dependent of any of the foregoing persons."

SEC. 3. The amendments made by this Act shall be effective from the date of enactment of the Labor Management Relations Act, 1947.

The SPEAKER pro tempore. Is a second demanded?

Mr. BELL. Mr. Speaker, I demand a second.

Mr. DENT. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DENT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. POWELL] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. POWELL. Mr. Speaker, the purpose of H.R. 10774 is to amend section 302(c) of the Labor-Management Relations Act, 1947, so as to clarify the intent of Congress with regard to permissible beneficiaries and benefits under joint labor-management trust funds, resulting from collective-bargaining agreements.

The bill provides that death benefits are a permissible benefit under either welfare or pension plans. It further provides that recreation and health camps and facilities are permissible benefits.

The bill also provides that employees or officers of a trust fund, labor organization, or employer association may be beneficiaries of a welfare or pension plan. However, where employees or officers or former employees or officers of a labor organization receive benefits from a welfare or pension trust fund, the payments for such benefits cannot be paid into the trust fund by any employer other than the labor organization. Self-employed persons whose conditions of employment are regulated in whole or in part by a collective-bargaining agreement, or any person who was formerly so self-employed, may receive benefits under a welfare and pension plan. Any member of the family or dependent of any of the foregoing persons may receive benefits under any such plan.

The present safeguards incorporated under section 302(c)(5)(B) are included under the proposed act before us.

Mr. Speaker, there was no opposition in committee to this bill with the proposed amendments to be adopted, and I now yield to the gentleman from Pennsylvania [Mr. DENT], the author of the bill and member of the subcommittee that developed this legislation.

Mr. DENT. Mr. Speaker, I yield myself such time as I may desire.

Mr. Speaker, because of recent court decisions clarifications of section 302(c) of the Labor-Management Relations Act are necessary to enable existing welfare and pension plans to continue their present coverage and programs. Federal district courts in Oregon, Missouri, and New York, and one U.S. court of appeals have announced decisions which point out the ambiguity in the language of section 302(c). Though the highest court to issue a decision on this issue, the Court of Appeals in St. Louis, Mo., has ruled in the direction that this bill would take us, it is not binding upon courts in other circuits.

The courts have been presented with the question of the meaning of the words "employer" and "employee." Additionally, the courts have been asked to determine whether a trust fund could provide the benefits of recreation and health camps and facilities. The courts have reached different results. The district courts have ruled, for example, that employees of unions are not "employees" under this section of the act. The Court of Appeals in Missouri reversed one such holding. However, to make further litigation on these issues unnecessary I have introduced this bill which will remove the apparent ambiguities and allow employees of unions, trust funds, employer associations, and others, to receive the benefits of welfare and pension trust funds which I believe was the original intent of Congress.

None of the proposed clarifications of H.R. 10774 change the basic and underlying purpose of the law as expressed by Congress. They merely affirm the practical interpretation that in fact has been placed by plans upon the law since its enactment. Therefore, the purpose of this bill is twofold. First, it is intended to implement the original policy of this section of the Labor Management Relations Act by removing the ambiguities that the courts have discovered. And, second, it is intended to prevent further costly, disrupting, and unnecessary litigation.

LITTLER, MENDELSON & SALTZMAN,
ATTORNEYS AT LAW,
San Francisco, Calif., September 24, 1965.

Hon. JOHN H. DENT,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN DENT: I have just learned that you have recently introduced H.R. 10774 to allow trust funds subject to Taft-Hartley to include both active and retired employees and employees of the union and of the trust fund itself.

Our firm represents several joint union-management boards of trustees which are definitely interested in having such legislation passed. I might point out that our firm is active in the labor-management relations field on the management side rather than on the union side, but to the best of my knowledge there is general unanimity from both sides that such legislation is needed.

I am particularly interested in changes in the law which would make it clear that pension and welfare trusts can cover employees who retired before the trusts came into existence. I would also hope that the legislation would indicate that it represents no change in the law, but rather a clarification of what has always been the law.

I would appreciate being sent a copy of the bill which you introduced and being kept advised of its progress. I would also be interested in making a formal presentation on behalf of my clients, either in writing or orally, at any hearing which may be scheduled.

Thank you for your interest in this matter, and please feel free to call upon me for any assistance which either our firm or our clients can offer.

Very truly yours,
WARREN H. SALTZMAN.

Mr. BELL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as ranking minority member of the General Labor Subcommittee that studied this legislation I simply want to point out that in its present form no opposition has been expressed.

In essence, this bill merely clarifies the intent of Congress in the National Labor Relations Act of 1947, commonly known as the Taft-Hartley Act.

Section 302 of the Taft-Hartley Act designates specifically what types of benefits may be paid by an employer to an employee or his representative under a trust fund agreement for the benefit of employees.

Recently there have been a number of judicial decisions barring certain benefits under such trust funds as a result of literal interpretation of the act.

It is the purpose of this legislation to allow benefits that have become common to labor-management agreements and include persons not intended to be excluded by the act but who have been excluded by court decisions.

Under H.R. 10774, benefits may be paid to employees and officers and former employees and officers, including self-employed persons whose conditions of self-

employment are regulated by collective-bargaining agreements.

Further, beneficiaries may include employees and officers and former employees and officers of an employer association, a labor organization, or a trust fund.

Death benefits and recreation and health camps are made permissible benefits both for welfare and pension plans under the act.

I would point out that one objection that was raised under the bill as it was originally drafted has been corrected.

Under the present version it is provided that employees of a union may receive benefits.

There was, under the original bill, a possibility that an employee of a union may receive benefits from an employer other than the union.

In other words, the union might take advantage of an agreement it had with an employer to provide benefits to an employee the union employed for its own service.

Objection was raised and the correction has been written into this bill.

Clearly, it is much more economical to have employees of a union participate in established welfare and pension plans rather than require separate plans for them.

With the safeguard that unions, as employers, must contribute to the plan, I completely support this legislation.

The SPEAKER pro tempore. The question is: Shall the House suspend the rules and pass the bill H.R. 10774, as amended?

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

ANDERSON G. MATSLER

Mr. PICKLE. Mr. Speaker, I ask unanimous consent to return to the Private Calendar No. 328 for the consideration of the bill (H.R. 10878) for the relief of Anderson G. Matsler, senior master sergeant, U.S. Air Force, retired.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas [Mr. PICKLE]?

There was no objection.

The Clerk read the bill, as follows:

H.R. 10878

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Senior Master Sergeant Anderson G. Matsler, United States Air Force, retired, is relieved of all liability to refund to the United States the sum of $810.74 representing the amount of overpayments of longevity pay he received during the period May 21, 1946, through December 31, 1962, due to an administrative error in the computation of his creditable service for pay purposes. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this section.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Senior Master Sergeant Anderson G. Matsler, referred to in the first section of this Act, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS ON H.R. 10327

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill H.R. 10327 previously passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

A RUSH TO GET HOME

Mr. SISK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an editorial.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SISK. Mr. Speaker, the past 10 days have been somewhat revealing to me concerning how facts can be distorted and twisted. I could not help but be reminded of a Biblical expression, if I may be permitted to paraphrase it: that there are none so blind as those who refuse to see, there are none so deaf as those who refuse to hear or to listen.

Mr. Speaker, I still maintain that the action of the House last week was not as bad as has been pictured, whether it was perfect or not. It is still the District's best hope for self-government.

Yesterday I had the pleasure of reading what I consider to be one of the best editorials that I have seen in the country regarding the action of last week. So, Mr. Speaker, I shall make that a part of my remarks today.

[From the Wall Street Journal, Oct. 4, 1965]

A RUSH TO GET HOME

It's easy to sympathize with the residents of Washington, D.C., in their effort to win the right to govern themselves. Congress, mostly in the person of the House District of Columbia Committee, has done a shoddy, indifferent job. Even so, the administration has acted in remarkable political haste lately to force through a home-rule measure.

Last week the House balked at a Senate-approved administration bill providing a readymade home-rule charter, and substituted a measure calling for the residents to draft a charter of their own. Now the two versions must go to a House-Senate conference. Though this raises the possibility no bill at all will pass this year, as has happened before, we think the House acted wisely in the face of heavy pressure.

Washington, it should be remembered, is more than just another big city with big-city problems. Since it is also the seat of the Federal Government, a certain amount of logic can be marshaled for Federal administration, however poorly it may have worked out in practice. In any event, writers of the administration plan appear to have been motivated more by the hope of quick congressional approval than by determination to provide an enduring, sound government for this special city.

To take one example, the city council envisioned by the administration charter would have an unwieldy 19 members. Why? Not because anyone thinks 19 is an effective number, but because Washington has more Negroes than whites and far more Democrats than Republicans. Thus 14 councilmen would be elected from neighborhood districts—assuring the few predominantly white areas of representation. And the five others would be chosen at large, with no more than three belonging to the same political party—assuring Republicans of at least two seats.

Our feeling is that the effect of the Negro-white ratio is irrelevant and best left out of the charter, and that 2 unwelcome Republicans couldn't hope to accomplish much among 17 hostile Democrats anyway. More importantly, any document drafted to fit a specific ethnic and political pattern is certain to grow outdated when that pattern shifts. As our Mr. Large recently noted on this page, even strong home-rule supporters have doubts about the administration-drawn charter.

The House substitute, on the other hand, provides first for a referendum to determine whether the people of Washington really want home rule. If so, a 15-man board of elected residents would hire its own consultants and write its own charter, which would then be submitted to another referendum. If the charter were approved, and if neither Chamber of Congress vetoed it, the plan would take effect 30 days later.

There is no guarantee, of course, that the residents' plan would be better than the one concocted by the administration, or, for that matter, than the current system. But the House approach is at least more cautious than the administration's and therefore stands a better chance of succeeding.

In any case, what our Capital City emphatically does not need is to be used in a fast power play aimed at short-term political gain for someone else. A chief virtue of the House substitute is that the new charter would be an instrument of the residents themselves—and that, after all, is what home rule is all about.

RECENT POLICIES OF THE U.S. OFFICE OF EDUCATION

Mr. COLLIER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. COLLIER. Mr. Speaker, recent policies of the U.S. Office of Education have reached the point where they demand the scrutiny and remedial action of this Congress. The recent withholding of funds from the Chicago schools climaxes a series of policy positions which the elected representatives of the people of this country can no longer afford to sweep under the carpet nor accept the rationale of those who run this office.

Title VI of the Civil Rights Act specifically states that withholding of financial assistance under any program or activity to a recipient without an expressed

finding on the record after an opportunity for hearing and then a failure to comply with such a requirement. It further provides that any act terminating or refusing to grant or continue assistance not be taken until the head of the Federal department or agency shall file with the committees of the House and Senate having legislative jurisdiction over the program or activity a full written report of the circumstances and the grounds for such action. This provision also stipulates that no such action shall become effective until 30 days have elapsed after the filing of such report.

In checking with both the minority and majority staff counsels on the Committee on Education and Labor, I have been advised that the procedure prescribed by Public Law 88–352 has not been obeyed.

Education and educational policies established in this Nation are everybody's business. When the U.S. Office of Education embarks upon the type of plan it has in the self-styled personality tests for schoolchildren, voluntary or involuntary, it is high time that every Member of Congress and every citizen of this country be fully informed as to just what is going on.

The Office of Education has no right to secrecy regarding any of its policies or long-range plans to bring the traditionally free educational system in this country under the heavy hand of Federal planners.

A prime example of the cloak of secrecy was the proposal by Homer D. Babbidge, who wrote a document, entitled "A Federal Educational Agency for the Future," which was promptly stashed away when Members of Congress began to ask questions. It was subsequently announced that it was inadvertently issued as a public document and was not meant to be so. If the proposals it embraces are in fact part of the formulation of long-range policy in the U.S. Office of Education, then I say it should have been a public document. It raises the question as to why it was whisked into oblivion at the point of congressional concern.

For years proponents of Federal aid to education charged that opponents who expressed fear of Federal controls were creating a strawman or a bogeyman. Well, those who persist in this attitude in the light of the recent exposé of the obnoxious personality tests and leaks of the long-range plans which are being made under the guise of a national assessment of the educational system in this country, must think that everyone else is intellectually blind or just plain naive, and whether you are a proponent or opponent of Federal aid to education is not the basic issue.

It is interesting to note that school officials in Los Angeles, Houston, Syracuse, Buffalo, Long Beach, Columbus, Boston, Cincinnati, and Cleveland have refused to participate in the personality test programs devised by the Office of Education. Chicago and Indianapolis are reported to be reluctant, although they have not expressed any final decision one way or the other.

I urge in this regard that every Member of Congress read page 23133 of the September 15 CONGRESSIONAL RECORD, which contains a reprint of the editorial, entitled "The Federal Textbooks," by Rowland Evans and Robert Novak. If you are not fearful of Federal control over education, this editorial will not upset you—but if you are, as you should be, it should jar your eyeteeth.

Substantiating the self-styled personality tests, spokesmen for the U.S. Office of Education deal in semantics with regard to the language and intent of the Civil Rights Act of 1964 and in the legislation which seeks a Federal utopia in what has traditionally been the free educational system in this country. Congress has a responsibility to spell out its intent in the use of funds provided for education in keeping with what I am sure is the feeling and sentiment of most of the American people, and particularly the parents of school children in this generation as well as the generations yet to come.

The school boards and school administrators in this country who believe in the American system that has provided the highest standards of education for the greatest number of people of any nation in the world, had better give a close, hard look at these trends of Federal intervention into the school systems of this country.

And we had better understand what we are doing when we become a party to having foundations which are not subject to the decision of the public establishing by indirection public policy decisions.

Throughout this country we have competent, dedicated people in various communities serving on boards of education as well as in the State agencies. These are not people who are void of the importance of education, and they are in fact people, in the vast majority of the cases, who understand and are deeply interested in discharging the responsibilities which are theirs. We are today turning out teachers in far greater numbers than ever before, teachers who are better qualified in their profession than ever before in our history. Child psychology courses are among the more demanding requisites for a degree in education, and particularly for teachers in elementary schools. With this type of personnel, it would be a grave mistake to permit bureaucrats in the field of education to numb the individual incentive and abilities of these people through any planned federalization of social attitudes and standards.

While I commend the Government Operations Subcommittee under the chairmanship of NEIL GALLAGHER for investigating the testing program of the Office of Education, I am firmly of the opinion that the Subcommittees on General Education and Special Education should also conduct hearings in order to go into all aspects of this program so that the Congress will be in a position to hold a tighter rein on the activities of this agency and place clearly upon the record its long-range plans and aims in the public interest.

PUBLIC'S RIGHT TO KNOW IN SHADOWY JOHNSON ADMINISTRATION POLICY IN DOMINICAN REPUBLIC

Mr. DERWINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute; to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, the public's right to know has never been as pertinent as in the case of the shadowy Johnson administration policy in the Dominican Republic.

Basically as a result of world turmoil, the Johnson administration has been fortunate that the Pope's visit to New York, the revolt in Indonesia, continued complications in Vietnam, and the Pakistan-India border war have driven the Dominican Republic fiasco out of the headlines, and it is thus being conveniently forgotten by the public.

As I analyze the matter, the following sequence of events took place in the Dominican Republic:

Our announced purpose for going into Santo Domingo was to see that a Communist regime like Castro's did not take over.

The first thing the United States did was to throw out the chief anti-Communist, Gen. Wessin y Wessin, who up to that time had the Communist rebels on the run. Gen. Wessin y Wessin was replaced by General Imbert, another stanch anti-Communist.

We immediately started feeding both sides without discrimination. Next, we applied what pressure we could to throw out General Imbert.

We never found fault with Colonel Caamano, the head of the Communist rebels; we only defended him.

We have now announced that a coalition government has been formed to which, of course, the rebels readily agreed. If there is anything a Communist loves, it is a so-called coalition government in which they are awarded the internal posts of security, foreign affairs, the army and navy, and so forth. By now, after long experience, our State Department knows the inevitable next step is a complete takeover by the Communists.

Former President Juan Bosch, whose campaign in 1961 received the financial support of the administration, has now returned after 2 years as our guest in Puerto Rico and set himself up in direct opposition to the provisional government of President Hector Garcia-Godoy. Thus Bosch, a collaborator and example of the enlightened Kennedy-Johnson foreign policy in Latin America, has come home to haunt us and work with the Communists in the Dominican Republic.

From the briefings I have received as a member of the Foreign Affairs Committee, I can only say that either our Department of State officials are, first, ignorant of conditions on the island; second, lying to Members of Congress, or third, withholding information from Congress; or perhaps a combination of

the three. If this lack of cooperation and refusal to provide legitimate information is practiced in dealing with Members of Congress who have a legal responsibility in this area, obviously the public is being kept completely in the dark.

THE ADMINISTRATION-SPONSORED MINIMUM WAGE "BETSY" BILL

Mr. GLENN ANDREWS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. GLENN ANDREWS. Mr. Speaker, I should like to warn the unskilled, the disabled, the unemployed and the aged to batten down the hatches. The administration-sponsored minimum wage "Betsy" bill is heading for the floor of the House of Representatives. The surgeons of social justice are about to remove too much from the patient, the patient being the small businessmen in America. They are going to die along with the millions of jobs that are provided by their little businesses.

Mr. Speaker, this Congress has passed some very worthwhile measures; education bills, poverty bills and so forth. The forces of Government are about to offset all of these gains with a "job destroyer" called minimum wages.

Mr. Speaker, while we have been engaged in helping the very poor to reach the plateau of employment, we are about to raise this plateau beyond their reach. Inflation, the greatest thief of all, is about to be produced on this floor. Instead of eliminating great human needs, we are about to create these needs.

The strong, namely big business and big labor, are about to sit down to a fine meal if this bill is passed. The poor and the aged are going to be thrown a bone, a bone loaded with arsenic—the arsenic of unemployment and inflation.

WITHHOLDING OF FEDERAL EDUCATION FUNDS TO THE CITY OF CHICAGO

Mr. McCLORY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. McCLORY. Mr. Speaker, I join in expressing dismay at the withholding of Federal funds for the education of children in the city of Chicago. I feel that this withholding of funds points up the real danger of Federal aid to education, especially Federal aid to our elementary and secondary schools.

Mr. Speaker, I do not know the details of the issues that are involved, but I do want to mention the fact that Benjamin Willis is a capable superintendent of schools in the city of Chicago.

Also, I am confident that the public spirited and competent members of the board of education are undertaking to do a fair and equitable job. In addition, I have utmost confidence in the State superintendent of public education, Mr. Ray Page. I do not know what the details are, but I do know that children are being deprived of educational opportunities and that educational advantages are being withheld by what appears to be unilateral and arbitrary Federal action. Federal control is an obvious concomitant of Federal aid. While Federal funds are being withheld in this instance on the pretext of discrimination, funds are bound to be withheld in the future to compel local and State school board compliance with Federal dictation. I am utterly opposed to segregation in the Nation's public schools. I do not address myself to that issue. The point I do make, and the point that is clear in this situation is that Federal aid to education means Federal control. That control may be exercised arbitrarily as it appears to me to have been exercised in the Chicago public school situation.

CIVIL RIGHTS

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, I find it rather interesting at this late date that Members of the House who sat through the civil rights debate in the 88th Congress come now before this body and express surprise and concern that application has been made to Chicago schools and to them of the civil rights law, and that Federal moneys have been denied them, in effect, Federal moneys have been denied the children of their districts and other areas for educational purposes because of alleged discrimination. Your criticism is probably justified, but so have most southern criticisms been justified when you adopted a "holier than thou" attitude and ignored our pleas.

Those who followed the debate will remember there were those among us who cautioned that this was going to happen, and I can only ask the question "Did you expect that this law would apply to somebody else, and not you?" Was it your intention that it only be applied to the South? If so, you had better keep your eyes open because you have not seen anything yet. Welcome to the club.

POPE PAUL'S VISIT TO THE UNITED NATIONS

Mr. JOELSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. JOELSON. Mr. Speaker, the recent visit to the United Nations of Pope Paul VI has provided a vital and encouraging boost to the prestige of the U.N.

As a member of the House Appropriations Committee subcommittee which must make funds available for U.S. participation in the United Nations, I am hopeful that those Americans who disparage the U.N. and our own participation in it will come to realize that the world assembly is the last best hope for peace on earth.

I certainly shall not be swayed from helping provide the U.N. with the means to follow the difficult and thorny path to peace, and I have been pleased to follow the lead of the distinguished subcommittee chairman, JOHN ROONEY, toward that goal.

Men of good will, no matter what their religious faith, owe great gratitude to Pope Paul VI for his historic and constructive visit to our shores.

SURVIVAL IN WATER-SHORT AREAS

Mr. SENNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. SENNER. Mr. Speaker, during recent months, two research physicists with the Department of Agriculture at Tempe, Ariz., have developed a remarkable survival technique for people who find themselves stranded in water-short areas.

I believe this discovery to be of such significance as to warrant sharing with my colleagues who may in turn wish to pass it along to their constituents.

It is a simple technique requiring little more than a plastic sheet small enough to carry in your pocket, and sunlight. Yet it can produce pure, drinkable water from dry desert sand, ocean beaches, and in areas where only brackish or polluted water is available.

Appropriately enough it is called a "survival still." Virtually anyone can build it.

The still consists of a bowl-shaped hole about 40 inches in diameter and about 20 inches deep which is covered with a plastic sheet formed and held in the shape of a cone by a rock placed in the center. Sunlight passes through the plastic and is absorbed by the soil or sand, resulting in evaporation, followed by condensation on the cooler plastic. Waterdrops form on the underside of the plastic, run to the point of the cone, and drop into a container placed directly under the point of the cone.

A single still constructed in dry soil can yield as much as one pint of water per day. Moist soil will yield three pints. However, if the sides of the hole are lined with pieces of fleshy plants, such as cactus, the yield may double.

The remarkable thing about this still is that if the soil is totally dry, polluted water such as body wastes can be used

to moisten the soil and thus produce the necessary evaporation-condensation process.

I would not presume upon the good will of my colleagues to utilize this occasion to emphasize the need for water in Arizona, yet I am constrained to point out that the "survival still" was discovered in my home State. The ingenious gentlemen who developed this lifesaving device are Drs. Ray D. Jackson and C.H.M. van Bavel with the Soil and Water Conservation Research Division of the U.S. Department of Agriculture at Tempe, Ariz.

Drs. Jackson and van Bavel made their discovery while conducting some basic research on water movement in dry soils. Few areas in the United States have soil as dry as Arizona's—a situation that hopefully will be at least partially remedied by my colleagues when the Lower Colorado River Basin project legislation comes to the floor for a vote.

Mr. Speaker, the Department of Agriculture is fully cognizant of the still's value. Consequently, in August a descriptive pamphlet was prepared and is now ready for distribution. For a more thorough explanation than I have here presented, I commend to my colleagues U.S. Department of Agriculture Picture Story No. 187, August 1965. Even more detailed data is available in WCL Report 4, June 30, 1965 "Water for Survival," by Ray D. Jackson and C.H.M. van Bavel.

LUMBER INDUSTRY HAS RECONCILED ITS DIFFERENCES OVER A NEW STANDARD

Mr. SENNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. SENNER. Mr. Speaker, the forest products industry and the jobs that it provides in my district makes the news that the lumber industry has reconciled its differences over a new standard most welcome.

My colleagues have been aware of my interest in assisting the lumber industry in removing barriers raised against the introduction of new products. In the belief that innovation is the lifeblood of a dynamic industry, I have encouraged the Department of Commerce in its effort to develop an improved lumber standard.

The Department of Commerce now has the opportunity to move quickly in promulgating the agreed-upon standards.

For those of you who have lumber operations in your districts, I am sure you know that between now and the first of the year is a heavy buying season in the lumber industry. Since a change in lumber sizes affects existing inventories, I pray that the Department of Commerce will give as much leadtime as is possible to manufacturers and still permit them to take advantage of the new lumber products in this buying season.

For the information of my colleagues, I place at this point in my remarks, the terms of the agreement regarding new lumber standards reached in the American Lumber Standards Committee:

AMERICAN LUMBER STANDARDS SUBCOMMITTEE AGREES ON SIZES

H. Pierson Plummer, chairman of the American Lumber Standards Committee's Subcommittee on Revision of SPR–16–53, announced today the unanimous approval by the subcommittee of the following motion at their meeting in Chicago on August 11:

"The subcommittee recommends to the full American Lumber Standards Committee the following sizes based on 19-percent maximum moisture content:

"Nominal: 5/8 inch, 1 inch, 2 inches, 3 inches, 4 inches, and 5 inches.

"Dry: 5/8 inch, 3/4 inch, 1½ inches, 2 9/16 inches, 3 9/16 inches, and 4½ inches.

"Green: 1 1/16 inch, 2 5/32 inch, 1 35/64 inches, 2 5/8 inches, 3 5/8 inches, and 4 5/8 inches.

"Nominal: 6 inches, 8 inches, 10 inches, 12 inches, 14 inches, and 16 inches.

"Dry: 5½ inches, 7¼ inches, 9¼ inches, 11¼ inches, 13¼ inches, and 15¼ inches.

"Green: 5 5/8 inches, 7 9/16 inches, 9 9/16 inches, 11 9/16 inches, 13 9/16 inches, and 15 9/16 inches.

with the provision that the 5-percent allowance for pieces exceeding the 19-percent maximum moisture content be deleted and with the provision that appropriate equivalents for Redwood and Western Red Cedar be included."

These sizes were also recommended to apply to thicknesses up to and including 4 inches nominal.

The subcommittee recommended further that the dressed widths for finish items be those contained in the 1964 proposed revision of SPR–16–53 with the exception that the nominal 3 inch, 4 inch, 14 inch, and 16 inch sizes be 2 9/16, 3 9/16, 13¼, and 15¼ inches, respectively. This action was taken to provide the same dressed widths for both finish and dry dimension items.

The subcommittee was named by the American Lumber Standards Committee chairman, Earl M. McGowin, at the first meeting of the reconstituted committee which was held on May 6, 1965, at the Department of Commerce in Washington, D.C. The subcommittee was charged with the responsibility of recommending to the full committee a new proposal to revise the existing simplified practice recommendation R–16–53.

At its meeting in Chicago yesterday, the American Lumber Standards Committee approved a number of revisions to simplified practice recommendation 16–53, a voluntary standard for American softwood lumber. Included in the revision approved by the committee were minimum dressed sizes for both dry and green lumber which were previously developed by a subcommittee on August 11.

A revision subcommittee had been named by the American Lumber Standards Committee chairman, Earl M. McGowin, at its first meeting on May 6, 1965. The subcommittee was charged with the responsibility of recommending to the full committee a new proposal to revise the existing standard. Under the direction of Chairman H. Pierson Plummer, the revision subcommittee carefully developed its recommendations as a result of several meetings held since its formation.

The new proposed revision of SPR 16–53, as approved by the full committee, will now be referred to the Department of Commerce. A Department of Commerce representative at the meeting commended the committee on its diligence in preparing the proposed revision, and indicated that the Department of Commerce, on receipt of the proposal from the committee, will proceed in an orderly manner to consider the proposal under the procedures of the Office of Commodity Standards.

Other committee actions included the strengthening of its enforcement program through the adoption of a number of additional requirements as applied to lumber inspection agencies. Included in these was the approval of new contracts to be executed between the committee and each certified grading agency.

The committee also approved an increased budget for 1966, involving an increase of over one-third the original budget for 1965. The budget is to be used primarily in carrying forward the committee's investigation work.

HURRICANE BETSY

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, southeastern Louisiana, including the great metropolis of New Orleans and its magnificent port facilities, is back in full operation. Even the most damaged areas are moving toward recovery. Our people are working day and night and soon Betsy will be a bitter memory from which we must learn a lesson on how better to protect ourselves from the winds and the tides which surround us.

The following are facts that I think you will find interesting:

On Thursday, September 9, I followed as best I could the weather reports on Hurricane Betsy. During the day, the reports in Washington indicated that the hurricane would follow a more westerly route and strike considerably beyond New Orleans. Beginning late in the afternoon, however, the reports began to indicate that the storm would strike in the area between the Mississippi gulf coast and the mouth of the Mississippi River. It actually centered slightly west of New Orleans.

At 6 p.m., Washington time, I had my last conversation with New Orleans. It was with the chief forecaster at the New Orleans Weather Bureau who told me that the indications were that the storm would strike somewhat east of New Orleans at about midnight. From then on it was impossible for me to make contact with either New Orleans or with the Mississippi gulf coast, where my mother resides.

I tried to make contact throughout the night. This was impossible. By direct dialing I was able to get the city desk of the New Orleans States-Item at about 6 a.m., New Orleans time. This, I believe was one of the first long-distance calls to get through.

Although communications were very bad I was advised by Mr. William Madden of the New Orleans States-Item that the devastation in and around New Orleans was vast. I immediately called Gov. Buford Ellington, the Director of the Office of Emergency Planning here in Washington, and informed him of the extent of the damage as far as I was able to ascertain at that time.

PRESIDENT JOHNSON ALERTED

I also called Mr. Bill D. Moyers, Press Secretary to the President, and asked

that he immediately advise President Johnson.

Throughout the day, I attempted to make further telephone communication with the three up-river parishes in my congressional district. This was impossible as all lines were down.

Later in the day I spoke with Mrs. Rosemary James, a reporter and columnist of the New Orleans States-Item. I was extremely anxious to know whether or not the Lake Pontchartrain Levee on the east bank of Jefferson Parish, protecting thousands of homeowners and businesses throughout the whole area, had held. She told me she did not know, but that she would find out. I held on because it was impossible to get back to her.

She informed me, after making proper inquiries, that no water had topped the east Jefferson levee. This was a source of great relief to me. This protection is something to which I have devoted many hours of hard work since the 1947 hurricane. Had the levee not been built the whole Metairie, Harahan, Kenner, Veterans Highway, Bucktown, and East Jefferson area would have been devastated, with countless millions in property losses.

By this time, the Office of Emergency Planning was getting its own reports and we were all realizing the magnitude of the disaster. Senator RUSSELL LONG, along with other members of the Louisiana delegation, urged the President to come to New Orleans. In a matter of hours the President gathered together the Louisiana delegation with Cabinet members and a host of other agency heads needed in such an emergency situation and left Washington for Louisiana.

FIRST TRIP TO LOUISIANA

By 5:30 p.m. New Orleans time Friday we were flying over the devastated area. This flight along the river above and below New Orleans indicated the magnitude of the disaster. The President and his party disembarked from the plane, made a quick tour of the devastated area, visited refugee centers, returned to the plane, and the President immediately declared Louisiana a major disaster area. I returned to Washington with the President, but returned to my district early on the next morning.

In the intervening hours much had already happened. As I landed at New Orleans International Airport, even then barely operational, flying boxcars were landing from areas throughout the country bringing in troops, food, medicines, emergency communication equipment, and countless other material.

I was able to get an amphibious plane and fly to Grand Isle. The devastation there, as everyone knows, is tremendous. On Sunday I made a complete tour of the second district, meeting with officials in Orleans, Jefferson, St. Charles, St. John the Baptist, and St. James Parishes to determine the needs of the people.

During the day on Sunday I brought together Mr. W. J. Amoss, director of the port of New Orleans, and Mr. Robert Y. Phillips, Director of the Government Readiness Office of the Office of Emergency Planning, so that work could start immediately in restoring the port. This was done in record time.

Later in the week I had the Department of Agriculture release 3 million bushels of grain from the Commodity Credit Corporation stocks for movement by rail in order to load ships in the port of New Orleans stranded because of the tie up of barge traffic due to the sinking of the chlorine barge.

SPEECH TO HOUSE

I returned to Washington late Sunday and on Monday, September 14, informed the House that we were already back in business. In that speech I said in part:

It has been a major disaster, Mr. Speaker. But it has strengthened my faith in man's humanity to man, in the compassion of our people everywhere, and in the dispatch with which our public officials from President Johnson and Governor McKeithen down, have responded to the needs of our people and our State.

My State has suffered a blow, but we will rebuild and rebuild quickly. Our greatest blow has been the loss of life, which cannot be restored. But to the families of these unfortunate people every help from public and private agencies is being made available.

Since that time we have worked constantly to bring aid and relief to our area and the amount of help has been substantial indeed. Let me catalog some of it:

The Army, Navy, Air Force, Coast Guard, and Civil Defense, rescued thousands of people, provided personnel and equipment and fed more than 25,000 people, flew in generators, radios, telephone supplies to reestablish communications, and other essential services.

The Army Engineers have been on the job constantly, dredging, pumping, repairing levees, clearing debris—at a cost of several million dollars—locating the sunken chlorine barge, and giving confidence to our people.

LOAN, FOOD PROGRAMS STARTED

The Small Business Administration has established branch offices in Orleans, St. Charles, St. John, St. James Parishes, and elsewhere throughout southeast Louisiana. Well over 10,000 applications have been sent out and it is expected that many millions of dollars of long-term, low-interest-rate loans will be approved.

The Department of Agriculture provided in 1 week's time the following amount of food:

Commodity	Total pounds	Total value
Dry milk	312,768	$60,208
Lard	312,264	47,547
Cornmeal	230,000	12,903
Flour	741,000	57,258
Rolled wheat	50,000	4,125
Canned beef	1,012,028	488,426
Frozen beef	6,313	3,963
Rice	545,536	62,903
Butter	138,720	87,880
Dry beans	244,848	24,509
Peanut butter	623,760	183,198
Cheese	630,450	263,213
Grits	100,032	7,032
Margarine	1,200	189
Grand total	4,948,923	1,330,352

The General Services Administration has made available emergency facilities for refugees, for necessary public facilities, and for schools.

The Housing and Home Finance Agency has been relocating thousands of families. In the heavily damaged areas, such as Grand Isle, trailers have been provided.

Highways have been inspected and reopened.

Disaster loans are being made available throughout the stricken agricultural areas.

The Post Office Department reestablished mail service in the devastated areas in record time and clothing in the dead letter offices from New Orleans, Atlanta, and other regional offices were made available to the refugees.

Medicines, vaccines, clothes have been distributed by various agencies of the Department of Health, Education, and Welfare.

The Treasury Department has advised on income tax deductions, tax credits and delays available on payments.

This account would be incomplete if it did not mention the remarkable job done by the telephone company and the utility companies, as well as other private agencies. Every telephone and practically every power connection throughout the devastated area was affected in some way. Accounts show that 382,378 telephones were affected. Two weeks thereafter telephones had been restored everywhere except in the places which were flooded.

WORST DISASTER TO TELEPHONE COMPANY

The hurricane was the costliest disaster ever to hit the telephone facilities. Repairmen and material were flown in from all over the country. Some 2,500 men including 700 from outside of Louisiana were put on an emergency schedule. A similar effort was made by the public utilities throughout the area and they performed equally well.

The Red Cross and the Salvation Army, of course, have brought aid and comfort to thousands of people and have again made us proud to be Americans.

Aid came from every State in the Union and from many foreign countries. The work and generosity of countless private and religious organizations and individuals has been inspirational. "Operation Help" will be remembered by all who benefited. Perhaps most especially for the participation of our young people which was in the highest tradition of American honor and bravery.

Much remains to be done. A congressional committee conducted 2 full days of hearings in New Orleans and Baton Rouge—September 24, and 25—and through this inquiry full estimates of the damage were obtained and the Corps of Engineers outlined in detail the necessary work that must be undertaken to prevent a repetition of the devastation cause by Hurricane Betsy.

On the special committee were U.S. Representatives ROBERT JONES of Alabama, Chairman; KENNETH GRAY, of Illinois; HAROLD T. JOHNSON, of California; W. J. BRYAN DORN, of South Carolina; RAY ROBERTS of Texas; ROBERT A. EVERETT, of Tennessee; JAMES KEE, of West Virginia; JOHN R. SCHMIDHAUSER, of Iowa; JAMES J. HOWARD, of New Jersey; PRENTISS WALKER, of Mississippi—representing minority members of the Public

Works Committee; and Congressmen F. EDWARD HÉBERT, JAMES H. MORRISON, EDWIN E. WILLIS, SPEEDY O. LONG, and myself of the Louisiana delegation.

EXISTING AND NEEDED LEGISLATION

We know that existing legislation has made possible rescue operations, food, medicines and temporary housing, the reopening and renovation of our great port facilities, the removal of the massive tons of debris throughout the area, the reestablishment of public facilities and reopening of highways, dredging of channels, and the reopening of public schools and similar public installations damaged or wrecked by the hurricane.

There are other areas where additional aid is being requested and it is hoped that this will be provided in legislation now being considered by the Congress, some of which I introduced immediately after the hurricane. Already we are undertaking a new study of hurricane damage at Grand Isle. I have requested that the Federal Flood Insurance Act of 1956 be fully implemented so that homeowners and business establishments may be able to buy protection in the future from similar disasters. The House will act on a study of flood insurance before adjournment.

While much has been done there are other matters that must be dealt with now and in the immediate future. The levees and other flood and hurricane protection installations throughout the area must be made entirely adequate. The knowledge gained from Hurricane Betsy must be employed in the new $85 million Lake Pontchartrain flood and hurricane protection project which has already been approved by the Congress.

In my own area, levees on the west bank in Jefferson Parish surrounding Gretna, Westwego, Lafitte and Barataria must be strengthened and heightened and new hurricane protection plans for Grand Isle must be perfected. All of this is already underway under the direction of the Corps of Engineers. This, plus adequate flood insurance and relief to the homeowners, schools, universities, and farmers, wherever possible, must be the goal and objective of all of us who love Louisiana and its people.

The greatest contributing factor to recovery has been the faith, the determination, the spirit and the devotion of our people. The way those who were not damaged, or who suffered slight damage, turned to help those who were devastated has been an example to all.

As I said on the floor of the House of Representatives it was a demonstration of man's humanity to man. Yes, most of our area has already rebuilt. The areas badly devastated will be rebuilt, and our State will continue to forge ahead as one of the fastest-growing, most productive States in the Union.

Mr. Speaker, I would like to include the text of advertisements run in newspapers throughout America about our State by Gov. John J. McKeithen and the board of commissioners for the port of New Orleans:

TEXT OF THE GOVERNOR'S MESSAGE

Hurricane Betsy dealt us a hard blow. There is no doubt about that.

But we're recovering awfully fast.

I have just completed a survey by telegram of major industry on the lower Mississippi River from Baton Rouge to New Orleans and on down to the mouth of the river, and the consensus report is that they are all back at work at something like 93 percent of normal capacity. The bulk are operating at full capacity.

Most industries sustained only minor bruises; many came through without a scratch. Shipyards and the offshore industry, naturally, were hit hardest of all, but even they are moving back into high gear. The great ports of New Orleans, Baton Rouge, and Morgan City are on a business-as-usual basis while the cleanup goes on. The port of Lake Charles, along with about three-fourths of the State, was virtually unscathed.

Nothing of this magnitude has ever happened to our State before, and the odds are that it will never happen again. But we aren't taking that chance. Plans are already being formulated for complete hurricane protection for the entire Louisiana coast.

Louisiana's quick comeback is a tribute to the resiliency of our people—the same kind of hard-working, public-spirited people who have made Louisiana the brightest spot in the New South.

TEXT OF THE DOCK BOARD MESSAGE

We're giving Betsy the brushoff. The port of New Orleans is back in business.

Betsy was no lady, she packed a wallop. But the port of New Orleans took Betsy's winds in stride.

At the port of New Orleans today, barely a week after Betsy's passing, ships from around the world are being berthed at all New Orleans general cargo wharves along the Mississippi riverfront and the industrial canal. General cargo is being loaded and unloaded with the same dispatch that has always marked the movement of goods via New Orleans. Thirty-five vessels were taking on and discharging cargo on Tuesday, September 14.

While some New Orleans wharves did lose siding and skylights and suffered other damage during Betsy's blasts, repairs are progressing rapidly. There is ample covered space for any and all cargoes inside New Orleans public wharf sheds. Not a single New Orleans wharf was destroyed by the storm.

Inland transportation via rail, truck and barge to and from New Orleans' hinterland, the great Mississippi Valley, has returned to normal. Seven major rail lines, 54 truck lines, and 60 barge lines are prepared to handle shipments to and from New Orleans today as always. The New Orleans Public Belt Railroad, which provides switching to all wharves, reports its trackage free and clear throughout the major harbor area and its operations are running smoothly.

The port is served by more than 100 regularly scheduled steamship lines. Their route to the Gulf of Mexico via the Mississippi River is clear and open to all deep-sea vessels.

The port of New Orleans—the Nation's No. 2 port, second only to the combined port facilities of the New York-New Jersey area in the value of its foreign trade—is back in business to stay.

If you would like to know more about how the port of New Orleans can save you both time and money, contact your nearest port of New Orleans representative. Lower inland freight rates between New Orleans and midcontinent cities, modern port facilities, and cargo-handling skills born of 200 years of experience work to your advantage when you ship via port of New Orleans.

PORT OF NEW ORLEANS, U.S.A.

New Orleans: Director of the port, post office box 60046, telephone 522–2551.

New York: Executive general agent, port of New Orleans, 25 Broadway, suite 555, telephone 422–0786.

Chicago: Executive general agent, port of New Orleans, 327 S. LaSalle Street, suite 1025–26, telephone 939–0722.

St. Louis: Executive general agent, port of New Orleans Railway Exchange Building, floor 21, telephone 241–6320.

Europe: European trade director, port of New Orleans via Agnello 12, Milan, Italy, telephone 807–202, cable DOCKBOARD.

Far East: Far East trade director, port of New Orleans, hotel New Japan, apartment 678, Tokyo, Japan, telephone 581–5511, extension 8678, cable PORTNOLA.

RID WASHINGTON OF FOREIGN SUGAR LOBBYISTS

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. LANGEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. LANGEN. Mr. Speaker, at long last we in this House will have a great opportunity to curtail control of sugar legislation by the Washington lobbyists who represent foreign nations. Sugar legislation is strictly the business of the people of the United States, and the Halls of Congress should be rid of these sugar-sweet and sticky parasites. They have too long dictated the contents of sugar bills.

Some of us have long questioned the activities of the highly paid lawyers who pocket huge fees by obtaining sugar quotas for their clients. The bill reported from the Agriculture Committee relative to the Sugar Amendments of 1965 shows much evidence of undue pressures from the foreign lobbyists. When the lobbying amendment is debated, we should be given the true reasons why nine nations, represented by lobbyists, are to receive quotas for the first time, and why one country that has never raised sugar before will be given a quota. These and many other questions must be thoroughly aired when the sugar bill comes up for House action. As I have recommended for a number of years, such a debate has been long overdue and I am delighted that the House Rules Committee has opened the door for this debate. The committee is to be commended.

Mr. Speaker, I have long questioned the administration efforts to eliminate recovery fees from foreign nations. It is good to know that we will now be given an opportunity to debate this important subject on the floor of the House. These preferred nations enjoy prices well above the world market, and they should be required to return a portion of this mark-up to the American people in return for the right to participate in our market.

We in the House must make every effort to strengthen this new sugar bill. And it is hoped that the Senate will strengthen it further. On the plus side, the domestic industry would be given the right to market the extra sugar this Government urged them to produce when world supplies were low. But it does not offer needed opportunities for increasing acreage among our established growers and fails to present opportunities for new

growers. These are considerations that have been due the domestic sugarbeet producers for a long time. With a few needed changes, this sugar bill could be vastly improved. Let us proceed to do so.

ESTABLISHMENT OF COMMISSION ON THE ORGANIZATION OF THE EXECUTIVE BRANCH OF THE GOVERNMENT

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. MATHIAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. MATHIAS. Mr. Speaker, the distinguished minority leader [Mr. FORD] is introducing this afternoon a bill identical to my bill, H.R. 11366, to establish a Commission on the Organization of the Executive Branch of the Government.

I am very pleased that the gentleman from Michigan is joining me and the 24 others who are cosponsoring this legislation. I would also like to add the name of the gentleman from Illinois [Mr. ERLENBORN] to the list of those who introduced identical bills on September 30.

The need for a comprehensive review of Government operations is clear and immediate. Great changes in structure and procedures are being made within the Federal establishment, and Congress needs full and independent evaluations of what is being done. Establishment of a Commission could focus the best talents of this country on the task of assessment and reform.

We have heard recently many suggestions that next year will be a year of retrenchment and reassessment of what we have done this year. If these predictions are accurate, the creation of a new Commission now would be especially appropriate. If we are to revise, revamp, and reform the executive branch, we ought to do it carefully and comprehensively. A blue-ribbon commission could be a tremendous help.

I hope that many more Members of the House will give their support to this proposal in the days and weeks ahead, so that we may be ready to act on it when Congress reconvenes.

WHAT THE STATES STAND TO LOSE UNDER THE HIGHWAY BEAUTIFICATION ACT

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. CRAMER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. CRAMER. Mr. Speaker, the Highway Beautification Act is scheduled for House consideration this Thursday. The bill contains numerous unworkable and unwise provisions, not least of which is the unfair penalty it imposes on the States.

For example, under the bill, Federal-aid highway funds apportioned on or after January 1, 1968, to any State which the Secretary determines has not made provisions for effective control of junkyards and advertising signs, displays, and devices, or for effective control of junkyards, shall be reduced by amounts equal to 10 percent of the amounts which otherwise would be apportioned to such State. If a State does not provide for effective control of both outdoor advertising, signs, displays, or devices, and junkyards, it will lose 20 percent of the funds which otherwise would be apportioned to it.

I emphasize, Mr. Speaker, that this is a mandatory provision. If the Secretary determines that a State has not made provision for "effective control," he is required to withhold part of the funds which would otherwise be apportioned to such State. This completely ignores the problems which may confront some States that may be willing and even anxious to make provision for the required effective control, but cannot do so for good and valid reasons.

For example, some States may have to amend their constitutions in order to be able to enact implementing laws. Representatives of the American Association of State Highway Officials testified that 15 States will have to amend their State constitutions in order to fully conform with the highway beautification proposal, and that 3 other States may or probably will have to amend their constitutions. Obviously, most, if not all, of these States will find it impossible to amend their constitutions and enact necessary legislation by the 1968 deadline, regardless of how sincerely they may try. These States, and the approximate amounts which they would lose each year—based on apportionments made for fiscal year 1967—if they could not constitutionally control either outdoor advertising or junkyards as provided by this legislation are as follows:

States which may lose funds unless State constitution is amended[1] *(20 percent of funds which otherwise would be apportioned)*

	Amount lost (in millions)
Alaska	$8.06
Arizona	11.62
California[2]	69.58
Colorado	10.18
Georgia	13.06
Idaho	5.30
Louisiana	18.16
Maryland[3]	11.96
Mississippi	9.52
Missouri	19.62
Montana	8.92
New Hampshire	3.74
Oregon	13.16
South Carolina	6.32
South Dakota	7.62
Tennessee	16.86
Vermont[3]	5.02
Wyoming	7.58

[1] Based on testimony of American Association of State Highway Officials.

[2] May have to amend constitution.

[3] Probably will have to amend constitution.

It should be pointed out that in all States, legislation will have to be enacted, and, in most States, there will only be one session of the State legislatures between now and the time they must have made provision for effective control. When a State enacts the necessary legislation, the law may be prevented from being carried out by litigation.

The minority members of the House Public Works Committee fought for a provision whereby the Secretary could, for good cause shown, suspend the application of these penalty provisions to a State. Such a provision was contained in the Senate-passed bill, but the House Public Works Committee took it out. I am hopeful this body will support a provision making the withholding of funds from a State discretionary with the Secretary, instead of mandatory as is presently the case.

ADMINISTRATION'S BILL TO PROVIDE FEDERAL CHARTERS FOR MUTUAL SAVINGS BANKS

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. MULTER. Mr. Speaker, I have today introduced a bill, H.R. 11433, in response to the administration's request for legislation to authorize Federal charters for mutual savings banks.

The bill would authorize the granting of Federal charters for mutual savings banks by the Federal Home Loan Bank Board and would extend to this long established industry, with an unparalleled record of safety and service, the dual chartering system which has worked so well for all other deposit-type institutions. I have sponsored this legislation in the House in every Congress since 1957.

Federal savings bank charters have been endorsed by many public and private groups including the President's Committee on Financial Institutions which, as you know, was composed of the heads of 11 key Federal agencies: Treasury Department, Federal Deposit Insurance Corporation, Federal Home Loan Bank Board, Housing and Home Finance Agency, Board of Governors of the Federal Reserve System, Department of Agriculture, Bureau of the Budget, Department of Health, Education, and Welfare, Council of Economic Advisers, Justice Department, and the Office of the Comptroller of the Currency.

Mutual savings banks perform two major functions: the encouragement of thrift among all income groups and the productive investment of accumulated savings in housing and other capital formation having maximum benefit to the local community and to the Nation. Extension of the mutual savings bank system through Federal chartering, it is widely believed, will lead to an increased and better distributed flow of savings,

more efficient and less costly mortgage financing, and a strengthened network of mutual thrift institutions operating under the dual chartering system.

Those of you who were Members of the House during the 88th Congress will recall that a similar bill was transmitted by the administration on July 29, 1964. This bill included amendments and revisions to a bill (H.R. 258) which I had the honor to introduce in the preceding session and on which extensive hearings were held in October 1963 before the Subcommittee on Bank Supervision and Insurance, which I have the honor to chair. Reflecting further careful consideration and study, the current bill incorporates additional technical and substantive modifications.

I am particularly pleased that the administration has strengthened its endorsement of the Federal savings bank charter bill by indicating that its enactment will be consistent with the administration's objectives. It is my strong hope that the widely approved objective of extending the advantages of dual charters to the mutual savings bank system will soon be realized by enactment of appropriate legislation.

At this point I would like to commend to the attention of our colleagues the following letter of transmittal of the Chairman of the Home Loan Bank Board and a summary and section-by-section analysis of the new bill:

FEDERAL HOME LOAN BANK BOARD,
Washington, D.C., October 1, 1965.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIR: The Federal Home Loan Bank Board hereby transmits, and recommends for enactment, a draft for a bill to authorize the establishment of Federal savings banks.

The provisions of the draft are summarized and explained in the analysis which is also transmitted herewith.

Enactment of the proposed legislation would probably not result in any savings in costs of administration of the Federal Home Loan Bank Board and might result in some increases in such costs. However, it is believed that such increases, if any, are not susceptible to estimation at this time with any degree of accuracy and for this reason the question of such possible costs is not dealt with. Any costs involved would of course be handled on the self-supporting basis under which all costs and expenses of the Federal Home Loan Bank Board are handled.

Advice has been received from the Bureau of the Budget that the enactment of the proposed legislation would be consistent with the administration's objectives.

With kind regards, I am

Sincerely,

JOHN E. HORNE.

SECTION-BY-SECTION ANALYSIS OF DRAFT DATED OCTOBER 1, 1965, FOR A BILL TO AUTHORIZE THE ESTABLISHMENT OF FEDERAL SAVINGS BANKS

Section 1. Short title: The unnumbered first section states the short title, "Federal Savings Bank Act."

TITLE I. FEDERAL SAVINGS BANKS

Chapter 1. General provisions

Section 11. Definitions and rules of construction: Section 11, the first section of title I, contains certain definitions and general rules, principal features of which are summarized below.

The term "mutual thrift institution" would mean a Federal savings bank (the primary purpose of the measure is to provide for the establishment and regulation of such banks), a Federal savings and loan association, or a State-chartered mutual savings bank, mutual savings and loan association, mutual building and loan association, cooperative bank, or mutual homestead association.

In turn, "thrift institution" would mean a mutual thrift institution, a guarantee savings bank, a stock savings and loan association, or a stock building and loan association, and "financial institution" would mean a thrift institution, a commercial bank, or an insurance company. By a special definitional provision in this section, the term "financial institutions acting in a fiduciary capacity" as used in sections 53 and 54 would include a credit union, whether or not acting in a fiduciary capacity.

"State" would mean any State, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, and any territory or possession of the United States.

Section 12. Rules and regulations: Section 12 authorizes the Federal Home Loan Bank Board to make rules and regulations, including definitions of terms in title I.

Section 13. Examinations: The Federal Home Loan Bank Board would be required to conduct not less than one nor more than two regular examinations of each Federal savings bank in each calendar year and to make in each year one or more assessments on all such banks in a manner calculated to yield approximately the total cost of these examinations. It could make a special examination of any bank at any time and would be required to assess the bank with the cost thereof. The section also provides that the Board may render to any bank or officer or director thereof such advice and comment as it may deem appropriate with respect to the bank's affairs.

Section 14. Reports: Section 14 provides that the Board may require periodic and other reports and information from Federal savings banks.

Section 15. Accounts and accounting: The Board would be authorized by section 15 to prescribe, by regulation or order, accounts and accounting systems and practices for Federal savings banks.

Section 16. Right to amend: The right to alter, amend, or repeal title I would be reserved by section 16.

Chapter 2. Establishment and voluntary liquidation

Section 21. Information to be stated in charter: Every charter for a Federal savings bank would be required to set forth the name of the bank (including "Federal," "Savings," and "Bank"), the locality in which the principal office is to be located, and other information set forth in section 21. A charter must be in such form and may contain such additional material as the Board may deem appropriate, and the Board may make provision for amendments.

Section 22. Issuance of charter for new bank: A charter for a new Federal savings bank could be issued by the Board on the written application (in such form as the Board may prescribe) of not less than 5 applicants and a determination by the Board that (1) the bank will serve a useful purpose in the community, (2) there is a reasonable expectation of its financial success, (3) its operation may foster competition and will not cause undue injury to existing institutions (including commercial banks) that accept funds from savers on deposit or share accounts, (4) the applicants are of good character and responsibility, and (5) there has been placed in trust or escrow for an initial reserve such amounts, not less than $50,000, in cash or securities approved by the Board as the Board may require, in consideration of transferable certificates to be issued by the bank in such form, on such terms, and bearing such interest or other return as the Board may approve.

Section 23. Issuance of charter for a converted bank: Under subsection (a) of section 23, a charter for a converted institution could be issued by the Board on the written application (in such form as the Board may prescribe) of the converting institution, upon a determination by the Board that (1) the applicant is a mutual thrift institution (defined in section 11), (2) two-thirds of the directors, if the converting institution is a Federal savings and loan association, have voted in favor of the conversion and two-thirds of the votes entitled to be cast by members have been cast in favor thereof, at meetings duly called and held therefor within 6 months prior to the filing of the application, (3) the conversion will not be in contravention of State law, if the applicant is a State-chartered institution, (4) the converted institution will serve a useful purpose in the community, (5) its operation may foster competition and will not cause undue injury as set forth under section 22 above, (6) there is a reasonable expectation of its financial success, based on its capitalization, financial history, and quality of management, and such other factors as the Board may deem appropriate, (7) the composition of its assets is such that, with such exceptions as the Board may prescribe, it will be able to dispose of assets not eligible to be invested in by Federal savings banks, and (8) the proposed initial directors are of good character and responsibility and there is a reasonable expectation that they will comply with the provisions of section 47 as to the conduct of directors.

To such extent as the Board might approve by order, and subject to such prohibitions, restrictions, and limitations as it might prescribe by regulation or written advice, a converted bank could retain and service the accounts, departments, and assets of the converting institution.

Subsection (b) of the section provides that the Board shall not issue a charter under subsection (a) unless it determines that, taking into consideration the quality of the converting institution's assets, its reserves and surplus, its expense ratios, and such other factors as the Board may deem appropriate, and making appropriate allowances for differences among types of financial institutions, the converting institution's history has been of a character "commensurate with the superior standards of performance expected of a Federal savings bank."

Section 24. Conversion of Federal savings banks into other institutions: Under subsection (a) of section 24 the Board, on written application of a Federal savings bank, could permit it to convert into any other type of mutual thrift institution (defined in section 11), on a determination by the Board that (1) two-thirds of the directors have voted in favor of the proposed conversion, (2) the requirements of section 45 have been met, (3) the conversion will not be in contravention of State law, and (4) upon and after conversion the institution will be an insured institution of the Federal Savings Insurance Corporation (i.e., the Federal Savings and Loan Insurance Corporation, whose name would be changed to Federal Savings Insurance Corporation by section 201) or an insured bank of the Federal Deposit Insurance Corporation.

Subsection (b) of the section provides that no institution into which a Federal savings bank has been converted may, within 10 years after the conversion, convert into any type of institution other than a mutual thrift institution (defined in section 11) which is either a bank insured by the Federal Deposit Insurance Corporation or an institution insured by the Federal Savings In-

surance Corporation, regardless of whether the latter conversion took place directly or through any intermediate conversions.

Enforcement of this prohibition would be by the Federal Home Loan Bank Board in the case of an institution having a status as an insured institution of the Federal Savings Insurance Corporation and by the Board of Directors of the Federal Deposit Insurance Corporation in the case of an institution having a status as an insured bank of that Corporation. On a determination that a violation had taken place, the relevant Board, by order issued not later than 2 years after any such violation, could terminate such status without notice, hearing, or other action. For the purposes of this subsection and subsection (a) of section 26, the terms "conversion" and "convert" would be defined as applying to mergers, consolidations, assumptions of liabilities, and reorganizations, as well as conversions.

Section 25. Voluntary liquidation: A Federal savings bank could not voluntarily go into liquidation or otherwise wind up its affairs except in accordance with an order of the Board issued under section 25. Upon application by such a bank, the Board could permit it to carry out a plan of voluntary liquidation upon a determination by the Board that (1) two-thirds of the bank's directors have voted in favor of the proposed plan, (2) the requirements of section 45 have been met, (3) there is no longer a need in the community for the bank, or there is not a reasonable expectation that its continued operation will be financially sound and successful, and (4) the plan is fair and equitable and in conformity with the requirements of section 26.

Section 26. Distribution of assets upon liquidation: Subsection (a) of section 26 provides that on liquidation of a Federal savings bank under section 25, or liquidation of any institution while subject to the prohibition in subsection (b) of section 24, the net assets after the satisfaction or provision for satisfaction, in accordance with such rules and regulations as the Board may prescribe, of all proper claims and demands against the institution, including those of depositors or shareholders, shall be distributed to the Federal Savings Insurance Corporation. In the case of institutions subject to subsection (b) of section 24, the claims of depositors or shareholders are to be limited to amounts that would have been withdrawable by them in the absence of any conversion (as defined in said subsection) while the institution was so subject.

The object of this provision is to deter conversions of Federal savings banks to nonmutual operation and to deter unneeded voluntary liquidation of Federal savings banks. Under section 24 Federal savings banks are prohibited from converting directly at one step into any other type of institution except a mutual thrift institution insured by the Federal Savings Insurance Corporation or the Federal Deposit Insurance Corporation. Section 26 is designed to deter, to the extent of its provisions, the conversion of a Federal savings bank indirectly or by successive steps into an institution other than such an insured mutual thrift institution.

Subsection (b) of section 26 provides that on liquidation of a Federal savings bank otherwise than pursuant to section 25 the net assets remaining after the satisfaction or provision for the satisfaction, in accordance with such rules and regulations as the Board may prescribe, of all proper claims and demands against the bank, including those of depositors, shall be distributed to the depositors in accordance with such rules and regulations as the Board may prescribe.

Chapter 3. Branching and merger

Section 31. Branches: Under section 31 a Federal savings bank could establish a branch or branches with the approval of the Board, upon a determination by the Board that (1) there is a reasonable expectation of the branch's financial success based on the need for such a facility in the locality, the bank's capitalization, financial history, and quality of management, and such other factors as the Board deems appropriate, (2) its operation may foster competition and will not cause undue injury to existing institutions (including commercial banks) that accept funds from savers on deposit or share account, and (3) if the bank were a State-chartered financial institution other than an insurance company it could establish the proposed branch or an office of an affiliated institution of the same type could be established in the same location.

The object of item (3) in the paragraph above is to limit the establishment of branches by Federal savings banks to States (defined in section 11) where financial institutions other than insurance companies may conduct multioffice operations either through branching or through affiliates. It is of course to be recognized that multioffice operation through affiliates is not branching, but the competitive effect on other financial institutions can be as great as if the multioffice operation were conducted by means of branching.

Section 31 also provides that, under such exceptions and conditions as the Board may prescribe, a converted Federal savings bank may retain any branch in operation immediately prior to the conversion and shall be deemed to have retained any right or privilege to establish or maintain a branch if such right or privilege was held by the converting institution immediately prior to conversion.

Finally, the section provides that, subject to approval granted by the Board not later than the effective date of the merger, acquisition of assets, or assumption of liabilities, a Federal savings bank into which another institution is merged or which acquires the assets or assumes the liabilities of another institution may maintain as a branch the principal office of the other institution or any branch operated by it immediately prior to the merger or transfer and shall be deemed to have acquired any right or privilege then held by the other institution to establish or maintain a branch. The Board could not grant such approval except upon compliance with a requirement analogous to that of item (3) of the first sentence of this analysis of section 31, unless the Board, in granting the approval, determined that the merger, acquisition, or assumption was advisable because of supervisory considerations. Examples of such situations could include those where one or more of the institutions was in a failing or declining condition, where one or more of such institutions was not rendering adequate service in its territory, or where one or more of the institutions had an unsafe or unsound management.

Section 32. Merger into a Federal savings bank: With the approval of the Board, a Federal savings bank could enter into an arrangement for merger of another mutual thrift institution into it or for acquisition of the assets or assumption of the liabilities of another mutual thrift institution in whole or part other than in the ordinary course of business. Approval could be granted only upon a determination by the Board similar to that of item (1) of the branching requirement of section 31, items (1), (2), and (3) for conversion into another mutual thrift institution under section 24, and item (2) for conversion under section 23, and a further determination by the Board that (in the case of a merger or acquisition of assets) the assets of the surviving or acquiring institution will be such that, with such exceptions as the Board prescribes, it will be able to dispose of assets not eligible for investment by Federal savings banks.

Also, the Board could grant approval only if it determined that the proposed transaction will be in the public interest, taking into consideration the convenience and needs of the community, the general character of the proposed management, and the effect on competition, including any tendency toward monopoly. The Board, unless it found it must act immediately to prevent probable failure of one of the institutions, would be required to request a report from the Attorney General on the competitive factors and at the same time notify the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation of their right to make such a report. The deadline for these reports would be 30 days after the request or notification, or 10 days if the Board advises that an emergency exists requiring expeditious action.

If the Attorney General so requests in his report, the effective date of any order approving the application is to be not less than 10 days after the issuance of the order. The Board is to include in its annual report to Congress information as to such transactions as set forth in the section.

Section 33. Merger of a Federal savings bank into another institution: A Federal savings bank could, with the approval of the Board, enter into a transaction by which the bank itself is merged into or consolidated with another institution, or another institution acquires assets or assumes liabilities of such bank. Determinations similar to those under section 32 would be required, and, in addition, such approval would be required to be contingent upon approval of the transaction pursuant to section 32 or pursuant to subsection (c) of section 18 of the Federal Deposit Insurance Act, whichever (if either) was applicable.

Chapter 4. Management and directors

Section 41. Board of Directors: A Federal savings bank would have a board of directors of not less than 7 nor more than 25. The Board could prescribe regulations as to the management structure, and subject thereto the board of directors of a bank could by bylaws or otherwise delegate such functions and duties as it might deem appropriate.

Section 42. Initial directors: The initial directors of a new bank would be elected by the applicants. The initial directors of a converted bank would be the directors of the converting institution, except as the Board might otherwise prescribe, consistently with subsection (b) of section 44 where applicable.

Section 43. Election of directors by depositors: Except as provided in sections 42 and 44, directors would be elected by the depositors. The Federal Home Loan Bank Board could by regulation provide for the terms of office, the manner, time, place, and notice of election, the minimum amount (and a holding period or date of determination) of any deposit giving rise to voting rights, and the method by which the number of votes a depositor would be entitled to cast would be determined.

Section 44. Selection of directors of banks converted from State-chartered mutual savings banks: Section 44 applies to a State-chartered mutual savings bank which is in operation on the date of enactment of the title and later converts to a Federal savings bank, where the directors of the converting bank were, on the date of such enactment and thereafter, chosen otherwise than by depositor election. If such a converting bank files as part of or an amendment to its application for a Federal charter a description in such detail as the Board requires of the method by which and terms for which its directors were chosen, and if the converted bank has not elected by vote of its directors to be subject to section 43, the method of selection and terms of office of the converted Federal savings bank would be in accordance

with such description, with such changes, subject to the discretionary approval of the Federal Home Loan Bank Board, as might be made on application by the converted bank. It is to be noted that this provision would not authorize the Board to approve any such changes in the absence of such an application by the bank.

Section 45. Approval of proposed merger, conversion, or liquidation: No Federal savings bank whose directors were elected by the depositors could make application to the Federal Home Loan Bank Board for approval of a merger or consolidation involving such bank, a transfer of assets or liabilities to or from another institution other than in the ordinary course of business, a converison, or a liquidation pursuant to section 25, unless two-thirds of the votes entitled to be cast by depositors had been cast in favor of making the application at a meeting duly called and held for such purpose not more than 6 months before the making of the application. The Board would have regulatory authority with respect to such meetings as set forth in the section.

No bank whose directors were not elected by depositors could make any such application unless two-thirds of the votes which would be entitled to be cast for the election of directors have been cast in favor of making the application.

The Board could except from any or all of the foregoing provisions of this section any case in which it determines that such exception should be made because of an emergency requiring expeditious action or because of supervisory considerations.

Section 46. Proxies: Any proxy by a depositor for the election of directors would be required to be revocable at any time. A proxy given for a proposal to be voted on under subsection (a) of section 45 would likewise be so revocable, would be required to expire in any event not more than 6 months after execution, and would be required to specify whether the holder shall vote in favor of or against the proposal. It is further provided that the Board shall prescribe regulations governing proxy voting and solicitation and requiring disclosure of financial interest, compensation, and remuneration by the bank of persons who are officers and directors or proposed therefor, and such other matters as the Board may deem appropriate in the public interest and for the protection of investors.

In addition, it is provided that the Board shall by regulation provide procedures by which any depositor may at his own expense distribute proxy solicitation material to all other depositors, but these procedures are not to require disclosure by the bank of the identity of its depositors. It is further provided that the Board shall by order prohibit the distribution of material found by it to be irrelevant, untrue, misleading, or materially incomplete and may by order prohibit such distribution pending a hearing on such issues.

Section 47. General provisions relating to directors, officers, and other persons: Section 47 provides that except as provided in paragraph (2) of subsection (b) of the section no director of a Federal savings bank may be an officer or director of any financial institution other than such bank. Said paragraph (2) provides that a director of a converted bank who held office on the date of enactment of this title as a director of the converting institution, and whose service has been continuous, may continue to be a director of any financial institution of which he has continuously so been a director, unless the Board finds after opportunity for hearing that there exists an actual conflict of interest or the dual service is prohibited by or under some other provision of law.

At least one more than half the directors of any Federal savings bank would be required to be persons residing not more than 150 miles from its principal office. No director could receive remuneration as such except reasonable fees for attendance at meetings of directors or for service as a member of a committee of directors, but this provision is not to prohibit compensation for services rendered to the bank in another capacity. The office of a director would become vacant when he had failed to attend regular meetings for a period of 6 months unless excused by resolution duly adopted by the directors prior to or during that period.

With certain exceptions, no bank could make a loan or extend credit (other than on the sole security of deposits) to any director, officer, or employee of the bank or to any person regularly serving the bank as attorney at law, or to any partnership or trust in which any such party has an interest or any corporation in which any of them are stockholders, and no bank could purchase any loan from any such party, partnership, trust, or corporation. However, with prior approval of a majority of the directors not interested in the transaction (this approval to be evidenced by affirmative vote or written assent of such directors) a bank could on terms not less favorable to it than those offered to others, make a loan or extend credit to, or purchase a loan from, any corporation in which any such party owns, controls, or holds with power to vote not more than 15 percent of the outstanding voting securities and in which all such parties own, control, or hold with power to vote not more than 25 percent thereof, full details of the transaction to be reflected in the records of the bank.

Further, a bank could, with the prior approval of a majority of its directors, and on terms not more favorable than those offered to other borrowers, (1) make a loan on the security of a first lien on a home owned and occupied or to be owned and occupied by a director, officer, or employee or a person or member of a firm regularly serving the bank as attorney at law, in such amount as might be permitted by regulation, and (2) make to any such person any loan that it may lawfully make, in an aggregate amount not over $5,000.

Additional provisions of this section would prohibit any bank, director, or officer from requiring (as a condition to any loan or other service by the bank) that the borrower or any other person undertake a contract of insurance or any other agreement or understanding as to the furnishing of other goods or service with any specific company, agency, or individual; would prohibit deposit of funds except with a depositary approved by vote of a majority of all directors, exclusive of any who is an officer, partner, director, or trustee of the depositary; and would, except as otherwise provided by the Federal Home Loan Bank Board, prohibit any bank from purchasing from or selling to any of the persons mentioned in the above prohibitions on loans any securities or other property, with similar 15- and 25-percent exceptions. Also, no bank could pay to any director, officer, attorney, or employee a greater rate of return on his deposits than that paid to other holders of similar deposits.

Where the directors or officers of a bank knowingly violated or permitted any of its directors, officers, employees, or agents to violate any provision of the title or regulations of the Board under authority thereof, or any of the provisions of specified sections of title 18 of the United States Code, every director and officer participating or assenting to such violation shall, the section provides, be held liable in his personal and individual capacity for all damages which the bank, its depositors, or any other persons sustain in consequence of the violation.

Except with prior approval of the Board, no person could serve as a director, officer, or employee of a Federal savings bank if he had been convicted of a criminal offense involving dishonesty or breach of trust, and for each willful violation the bank would be subject to a penalty of not over $100 for each day the prohibition was violated. Finally, no officer, director, or employee of any corporation or unincorporated association, no partner or employee of any partnership, and no individual, primarily engaged in the issue, flotation, underwriting, public sale, or distribution at wholesale or retail or through syndicate participation, of stocks, bonds, or similar securities could serve at the same time as an officer, director, or employee of such a bank except in limited classes of cases in which the Board might allow such services by general regulation when in the Board's judgment it would not unduly influence the investment policies of the bank or the advice given by it to its customers regarding investments.

Chapter 5. Sources of funds

Section 51. Reserves: A Federal savings bank could not commence operations until the amount required by section 22(5) had been paid to the bank for an initial reserve, and such reserve could be reduced only by the amount of losses or by retirement of the certificates referred to in section 22(5). The bank would be required to establish, and make such credits and charges to, such other reserves as the Board might prescribe. Subject to such restrictions and limitations as the Board might prescribe, it could retain additional amounts which could be used for any corporate purpose.

Section 52. Borrowings: To such extent as the Board might authorize by regulation or advice in writing, a bank could borrow and issue notes, bonds, debentures, or other obligations or other securities, except capital stock.

Section 53. Savings deposits: A bank could accept savings deposits except from foreign governments and official institutions thereof and except from private business corporations for profit other than financial institutions acting in a fiduciary capacity. It could issue passbooks or other evidences of its obligation to repay such deposits.

Under subsection (b) of this section, a bank could classify its savings depositors according to specified criteria and agree in advance to pay an additional rate of interest based on such classification. However, it would be required to regulate such interest so that each depositor would receive the same rate as all others of his class.

Further provisions of this section would authorize a bank to refuse sums offered for deposit and to fix a maximum amount for savings deposits and repay, on a uniform nondiscriminatory basis, those exceeding the maximum. The bank could require up to 90 days' notice before withdrawal from such deposits, notifying the Board immediately in writing, and the Board, by a finding which must be entered on its records, could suspend or limit withdrawals of savings deposits from any Federal savings bank if it found that unusual and extraordinary circumstances so required.

Interest on savings deposits could be paid only from net earnings and undivided profits, and the Board could provide by regulation for the time or rate of accrual of unrealized earnings.

Section 54. Time deposits: Subject to the same exceptions as in the case of savings deposits, a Federal savings bank could accept deposits for fixed periods not less than 91 days and could issue nonnegotiable interest-bearing time certificates of deposit or other evidence of its obligation to pay such time deposits.

Section 55. Authority of Board: The exercise of authority under sections 53 and 54 would be subject to rules and regulations of the Board, but it is provided that nothing in this section shall confer on the Board any authority as to interest rates other than the additional rate referred to in section 53(b).

Chapter 6. Investments

Section 61. Definitions and general provisions: Section 61 contains definitions and general provisions for the purpose of the investment provisions of the bill.

Among other things, "general obligation" would mean an obligation supported by an unqualified promise or pledging or commitment of faith or credit, made by an entity referred to in section 62(1) or 63(a) or a governmental entity possessing general powers of taxation including property taxation, for the payment, directly or indirectly, of an amount which, together with any other funds available for the purpose, will suffice to discharge the obligation according to its terms.

The term "political subdivision of a State" would include any county, municipality, or taxing or other district of a State, and any public instrumentality, public authority, commission, or other public body of any State or States; "eligible leasehold estate" would mean a leasehold estate meeting such requirements as the Board might prescribe by regulation; and "conventional loan" would mean a loan (other than as referred to in section 70) secured by a first lien on a fee simple or eligible leasehold estate in improved real property.

Section 61 also provides that the Board may authorize any acquisition or retention of assets by a Federal savings bank (including, without limitation, stock in service corporations) on a determination that such action is necessary or advisable for a reason or reasons other than investment, and may exempt or except such acquisition, retention, or assets from any provision of the title.

The same section also provides authority and limitations for acquisition (as distinguished from origination) of loans and investments, and for acquisition by origination or otherwise of participating or other interests in loans and investments. Any such interest must be at least equal in rank to any other interest not held by the United States or any agency thereof and must be superior in rank to any other interest not so held and not held by a financial institution or a holder approved by the Board. It also provides authority for the making of loans secured by an obligation or security in which the bank might lawfully invest, but such a loan may not exceed such percentage of the value of the obligation or security, nor be contrary to such limitations and requirements, as the Board may prescribe by regulation.

Section 62. Investments eligible for unrestricted investment: Section 62 provides that a Federal savings bank may invest in (1) general obligations of, or obligations fully guaranteed as to interest and principal by, the United States, any State, one or more Federal home loan banks, banks for cooperatives (or the Central Bank for Cooperatives), Federal land banks, or Federal intermediate credit banks, the Federal National Mortgage Association, the Tennessee Valley Authority, the International Bank for Reconstruction and Development, or the Inter-American Development Bank, (2) bankers' acceptances eligible for purchase by Federal Reserve banks, or (3) stock of a Federal home loan bank.

Section 63. Canadian obligations: Section 63 provides in subsection (a) that, subject to the limitations in subsection (b), a Federal savings bank may invest in general obligations of, or obligations fully guaranteed as to interest and principal by, Canada or any province thereof. Subsection (b) provides that investments in obligations under this section or under section 64(2) may be made only where the obligation is payable in U.S. funds and where, on the making of the investment, not more than 5 percent of the bank's assets will be invested in Canadian obligations, and, if the investment is in an obligation of a province, not more than 1 percent of its assets will be invested in obligations of such province. "Canadian obligation" is defined as meaning the above mentioned obligations and obligations of Canada or a province thereof referred to in section 64(2).

Section 64. Certain other investments: Subject to a limitation of 2 percent of the bank's assets invested in securities and obligations of one issuer, and to such further limitations as to amount and such requirements as to investment merit and marketability as the Board may prescribe by regulation, a bank may invest in (1) general obligations of a political subdivision of a State, (2) revenue or other special obligations of Canada or a province thereof or of a State or political subdivision thereof, (3) obligations or securities (other than equity securities) issued by a corporation organized under the laws of the United States or a State, (4) obligations of a trustee or escrow agent under section 22(5) or certificates issued thereunder, and subordinated debentures of a mutual thrift institution insured by the Federal Deposit Insurance Corporation or the Federal Savings Insurance Corporation (the name to which the Federal Savings and Loan Insurance Corporation would be changed by section 201), or (5) equity securities issued by any corporation organized under the laws of the United States or of a State. This authority is subject, in the case of such equity securities, to a further requirement that at the time of the investment the reserves and undivided profits of the bank equal at least 5 percent of its assets and that on the making of the investment the aggregate amount of all equity securities then so held by the bank not exceed 50 percent of its reserves and undivided profits and the quantity of equity securities of the same class and issuer held by the bank not exceed 5 percent of the total outstanding. For the purposes of this section the Board could by regulation define "corporation" to include any form of business organization.

Section 65. Real estate loans: Conventional loans could be made, subject to such restrictions and requirements as the Board might by regulation prescribe as to appraisal and valuation, maturity (not over 30 years in the case of loans on one- to four-family residences), amortization, terms and conditions, and lending plans and practices. No such loan could result in an aggregate indebtedness of the same borrower exceeding 2 percent of the bank's assets or $35,000, whichever was greater. Also, no such loan secured by a first lien on a fee simple estate in a one- to four-family residence could exceed 80 percent, or in the case of any other real property 75 percent, of the value of the property except under such conditions and subject to such limitations as the Board might prescribe by regulation. Further, no loan secured by a first lien on a leasehold estate could be made except in accordance with such further requirements and restrictions as the Board might so prescribe.

Loans for the repair, alteration, or improvement of any real property could be made under such prohibitions, limitations, and conditions as the Board might prescribe by regulation. Loans not otherwise authorized under the title but secured by a first lien on a fee simple or eligible leasehold estate in unimproved property could be made, provided the loan was made in order to finance the development of land to provide building sites or for other purposes approved by the Board by regulation as in the public interest and provided the loan conformed to regulations limiting the exercise of such power and containing requirements as to repayment, maturities, ratios of loan to value, maximum aggregate amounts, and maximum loans to one borrower or secured by one lien which were prescribed by the Board with a view to avoiding undue risks to such banks and minimizing inflationary pressures on land in urban and urbanizing areas.

The section contains a provision that a bank investing in a loan where the property securing the loan is a one- to four-family residence more than 100 miles and in a different State from the principal office of the bank must retain for such loan a Federal Housing Administration-approved mortgagee resident in such other State to act as independent loan servicing contractor and to perform loan servicing functions and such other related services as were required by the Board.

Section 66. Loans upon the security of deposits or share accounts: A Federal savings bank could make any loan secured by a deposit in itself or, to such extent as the Board might permit by regulation or advice in writing, secured by a deposit or share account in another thrift institution or a deposit in a commercial bank.

Section 67. Loans secured by life insurance policies: A Federal savings bank could make a loan secured by a life insurance policy, not exceeding the cash surrender value.

Section 68. Unsecured loans: Unsecured loans not otherwise authorized under the title could be made, but only to such extent as the Board might permit by regulation, and then not if the loan would increase the outstanding principal of such loans to any principal obligor, as defined by the Board, to more than $5,000. No loan could be so made if any obligor was a private business corporation for profit.

Section 69. Educational loans: Subject to such prohibitions, limitations, and conditions as the Board might prescribe by regulation, a Federal savings bank could invest in loans, obligations, and advances of credit made for the payment of expenses of college or university education, up to a limit of 5 percent of the bank's assets.

Section 70. Insured or guaranteed loans: A Federal savings bank could, unless otherwise provided by regulations of the Board, make any loan the repayment of which was wholly or partially guaranteed or insured by the United States, a State, or an agency of either, or as to which the bank had the benefit of such insurance or guaranty or of a commitment or agreement therefor.

Chapter 7. Miscellaneous corporate powers and duties

Section 71. General powers: Section 71 provides that a Federal savings bank shall be a corporation organized and existing under the laws of the United States and sets forth miscellaneous corporate powers, which are to be subject to such restrictions as may be imposed under the title or other provisions of law or by the Board. It also provides that such a bank shall have power to do all things reasonably incident to the exercise of such powers. The specified powers would include the power to sell mortgages and interests therein, and to perform loan servicing functions and related services for others in connection with such sales, provided the sales are incidental to the investment and management of the funds of the bank.

Section 72. Service as depositary and fiscal agent of the United States: Section 72 provides that when so designated by the Secretary of the Treasury a Federal savings bank shall be a depositary of public money, except receipts from customs, under such regulations as he may prescribe, and may be employed as a fiscal agent of the Government, and shall perform all such reasonable duties as such depositary and agent as may be required of it.

Section 73. Federal Home Loan Bank membership: On issuance of its charter, a Federal savings bank would automatically become a member of the Federal Home Loan Bank of the district of its principal office, or if convenience required and the Board approved, of an adjoining district. It is provided that such banks shall qualify for such

membership in the manner provided in the Federal Home Loan Bank Act for other members.

Section 74. Change of location of offices: A Federal savings bank could not change the location of its principal office or any branch except with the approval of the Board.

Section 75. Liquidity requirements: A Federal savings bank would be required to maintain liquid assets consisting of cash and obligations of the United States in such amount as, in the Board's opinion, was appropriate to assure the soundness of such banks. Such amount could not, however, be less than 4 percent or more than 10 percent of the bank's obligation on deposits and borrowings, and the Board could specify the proportion of cash and the maturity and type of eligible obligations. The Board could classify such banks according to type, size, location, withdrawal rate, or such other basis or bases as it might deem reasonably necessary or appropriate for effectuating the purposes of the section.

In addition, the Board could require additional liquidity if in its opinion the composition and quality of assets, the composition of deposits and liabilities, or the ratio of reserves and surplus to deposits required further limitation of risk to protect the safety and soundness of a bank or banks. The total of the general liquidity requirement and of this special liquidity requirement could not exceed 15 percent of the obligation of the bank on deposits and borrowings.

The general liquidity requirement would be computed on the basis of average daily net amounts covering periods established by the Board, and the special liquidity requirement would be computed as the Board might prescribe. Penalties for deficiencies in either requirement are provided for. The Board would be authorized to permit a bank to reduce its liquidity if the Board deemed it advisable to enable the bank to meet requests for withdrawal, and would be authorized to suspend any part or all of the requirements in time of national emergency or unusual economic stress, but not beyond the duration of such emergency or stress.

Chapter 8. Taxation

Section 81. State taxation: Section 81 provides that no State or political subdivision thereof shall permit any tax on Federal savings banks or their franchises, surplus, deposits, assets, reserves, loans, or income greater than the least onerous on any other thrift institution. It further provides that no State other than the State of domicile shall permit any tax on such items in the case of Federal savings banks whose transactions within such State do not constitute doing business, except that the act is not to exempt foreclosed properties from specified types of taxation. The section also defines "doing business" and other terms used in the section.

Chapter 9. Enforcement

Section 91. General provisions: Section 91 states the power of the Board to enforce the title and rules and regulations thereunder and the extent to which the Board is authorized to act in its own name and through its own attorneys. It also provides that the Board shall be subject to suit, other than on claims for money damages, by any Federal savings bank with respect to any matter under the title or any other applicable law, or rules and regulations thereunder, in the U.S. district court for the district of the bank's principal office or in the U.S. District Court for the District of Columbia. It further provides as to service of process on the Board.

Section 92. Cease-and-desist orders: If in the opinion of the Board a Federal savings bank is violating or has violated or is about to violate any law, rule, or regulation, or is engaging or has engaged or is about to engage in any unsafe or unsound practice, the Board is to serve on the bank a notice of charges, including the fixing of a time and place at which a hearing will be held, not later than 60 days after service unless a later date is set by the Board at the request of the bank. If, on the record, the Board finds that any violation or practice specified in the notice has been established, it is to cause to be served on the bank an order to cease and desist therefrom.

Such a cease-and-desist order is to become effective at the expiration of 30 days after service and is to remain effective and enforcible except as it is stayed, modified, terminated, or set aside by the Board or a reviewing court. Judicial review of such an order is to be exclusively as provided in section 96.

If the Board determines that the continuation of the violation or violations or the unsafe or unsound practice or practices specified in the notice of charges could cause insolvency (as defined in sec. 94(a)) or substantial dissipation of assets or earnings, or otherwise seriously prejudice the interest of the depositors, the Board may issue a temporary order requiring the bank to cease and desist from any such violation or practice. Such a temporary order is to become effective on service and to remain effective and enforcible pending completion of the administrative proceedings pursuant to the notice, until the Board dismisses the charges or, if a cease-and-desist order is issued, until the effective date of such order.

Within 10 days after service of a temporary cease-and-desist order the bank may apply to such a court as is mentioned in section 91 for an injunction setting aside, limiting, or suspending the enforcement, operation, or effectiveness of such order pending the completion of the administrative proceedings. In case of violation or threatened violation of or failure to obey a temporary cease-and-desist order the Board may apply to the U.S. district court, or the U.S. court of any territory, within the jurisdiction of which the principal office of the bank is located, for an injunction to enforce the order. If the court determines that there has been such violation or threatened violation, or such failure, the court is to issue such injunction without consideration of any other issue or matter.

Where a bank is served with a notice of charges under the foregoing provisions of the section, or a director or officer is served with a notice of intention to remove under section 93, and admits the charges, the bank, or the director or officer, may within 30 days apply to the court of appeals of the United States for the district in which the bank's principal office is located, or the U.S. Court of Appeals for the District of Columbia Circuit, for a declaratory judgment or other relief with respect to the constitutionality of any law, rule, or regulation which is the subject matter of the notice.

In such case the court is to have jurisdiction to enter an order, judgment, or decree determining the validity of, or affirming, terminating, or setting aside the notice, or to issue a cease-and-desist order or an order of removal, or other orders consistent with the notice. However, the court is to dismiss any such proceeding whenever it appears that there is a genuine issue as to any material fact.

Section 93. Suspension or removal of director or officer: When in the opinion of the Board a director or officer of a bank has committed a violation of a cease-and-desist order which has become final or a violation of law, rule, or regulation, or has engaged or participated in an unsafe or unsound practice in connection with the bank or has committed or engaged in an act, omission, or practice constituting a breach of his fiduciary duty as such, and has willfully continued the same after written warning by the Board not to do so, the Board may serve on him a written notice of intention to remove him and may suspend him from office.

Such a suspension is to become effective upon such service and, unless stayed in proceedings hereinafter mentioned, is to remain in effect until terminated or set aside by the Board or until the director or officer is removed.

A notice of intention to remove is to fix a time and place for a hearing, which must be fixed for a date not earlier than 30 days after service. If, on the record, the Board finds that any of the grounds has been established, it is to issue such orders as it deems appropriate, including an order of removal. In connection with any such order the Board may provide for the suspension or invalidation of proxies, consents, or authorizations held by the director or officer in respect of voting rights in the bank. Judicial review is to be exclusively as provided in section 96. However, the director or officer may, within 10 days after suspension, apply to the U.S. district court for the district of the bank's principal office, or the U.S. District Court for the District of Columbia, for a stay of the suspension pending the completion of the administrative proceedings for removal.

In addition to the foregoing provisions, section 93 provides that when a director or officer is charged in an information or indictment with commission of or participation in a felony involving the affairs or business of any institution the accounts of which are insured by the Federal Savings Insurance Corporation, the Board may suspend him by written notice served on him. If he is convicted, he would thereupon cease to be a director or officer of the bank, but if found not guilty the suspension would terminate. A finding of not guilty would not preclude the Board from thereafter instituting proceedings to remove him under the other provisions of the section.

The section also provides that if, because of suspension of one or more directors, there is less than a quorum of directors not suspended, the powers and functions of the board of directors shall vest in the director or directors not suspended, and that if all are suspended the Board shall appoint persons to serve pending termination of the suspension or until the suspended directors cease to be directors and their successors take office.

Section 94. Conservatorship and receivership: Section 94 provides the following grounds for appointment of a conservator or receiver for a Federal savings bank: (1) Insolvency in that the bank's assets are less than its obligations to creditors and others, including depositors; (2) substantial dissipation of assets or earnings due to violation or violations of law, rules, or regulations, or unsafe or unsound practice or practices; (3) an unsafe or unsound condition to transact business; (4) willful violation of a cease-and-desist order which has become final; (5) concealment of books, papers, records, or assets, or refusal to submit books, papers, records, or affairs to an examiner or lawful agent of the Board.

If in the opinion of the Board such a ground exists and the Board determines that a cease-and-desist order or temporary cease-and-desist order under section 92 would not adequately protect the interests of the public or the depositors or of the Federal Savings Insurance Corporation, the Board may appoint a conservator or receiver ex parte and without notice. Within 30 days thereafter the bank could bring an action in such a court for an order requiring the Board to remove the conservator or receiver. The Board could also appoint a conservator or receiver without any requirement of notice, hearing, or other action if the bank, by resolution of its board of directors, consents thereto, the bank's Federal Home Loan Bank membership or its status as an insured institution is terminated, or the bank has failed

for 90 days to pay a withdrawal application in full. Only the Federal Savings Insurance Corporation could be appointed as receiver.

Section 95. Hearings and relief: Any hearing provided for in this chapter must be held in the Federal judicial district, or the territory, in which the bank's principal office is located, unless the party afforded the hearing consents to another place. Any such hearing must be conducted in accordance with the provisions of the Administrative Procedure Act. After the hearing, and within 90 days after the Board notifies the parties that the case has been submitted to it for final decision, the Board must render its decision and cause an order or orders to be served on each party. The Board could, on such notice and in such manner as it deemed proper, modify any such order or terminate it or set it aside, unless a petition for review had been filed as provided in section 96, and it could do so thereafter with permission of the court.

Section 96. Judicial review: Judicial review would be by filing a written petition in the court of appeals of the United States for the circuit of the bank's principal office, or the U.S. Court of Appeals for the District of Columbia Circuit, within 30 days after the service of the order. The clerk of the court would thereupon transmit a copy of the petition to the Board and the Board would file in the court the record of the proceeding as provided in 28 U.S.C. 2112. Review would be as provided in the Administrative Procedure Act, and the judgment and decree of the court would be final except that it would be subject to review by the Supreme Court on certiorari as provided in 28 U.S.C. 1254. Commencement of review proceedings would not, unless specifically ordered by the court, operate as a stay of an order issued by the Board.

Section 97. Enforcement: Section 97 provides that the Board in its discretion may apply to the U.S. district court or the U.S. court of any territory within the jurisdiction of which the bank's principal office is located for the enforcement of any effective and outstanding order of the Board under the chapter. It also provides that any court having jurisdiction of a proceeding instituted under the chapter by a Federal savings bank or an officer or director thereof may allow to any such party such reasonable expenses and attorneys' fees as it deems just and proper, and that the same shall be paid by the bank or from its assets.

Section 98. Miscellaneous provisions: Section 98 contains various ancillary provisions, including provisions as to oaths and affirmations, depositions, and subpenas and subpenas duces tecum. It provides that all expenses of the Board or the Federal Savings Insurance Corporation in connection with the chapter shall be considered as nonadministrative expenses. It further provides as to how service may be made and authorizes the Board to make rules and regulations for reorganizations, liquidation, and dissolution of Federal savings banks, for consolidations in which the resulting institution or one or more of the consolidating institutions is such a bank, and for such banks in conservatorship and receivership, and for the conduct of conservatorships and receiverships.

Section 99. Criminal penalties: Section 99 provides criminal penalties for directors or officers, or former directors or officers, who, with knowledge of a suspension or of an order of removal which has become final, participate in the conduct of the bank's affairs, solicit or procure proxies, consents, or authorizations in respect of voting rights in the bank, or vote or attempt to vote any such proxies, consents, or authorizations. It also provides criminal penalties for any of the same who, without prior written approval of the Board, serve or act as director, officer, or employee of any institution whose accounts are insured by the Federal Savings Insurance Corporation, and further provides that where a conservator or receiver demands possession of property, business, or assets of a Federal savings bank the refusal by a director, officer, employee, or agent of the bank to comply with the demand shall be criminally punishable. The penalty for violation of the section would be a fine of not over $5,000 or imprisonment for not over 1 year, or both.

TITLE II

Section 201. Change of name of insurance corporation: Section 201 would change the name of the Federal Savings and Loan Insurance Corporation to Federal Savings Insurance Corporation, which is more accurately descriptive of its function.

Section 202. Mergers and similar transactions involving insured institutions: Section 202 of the draft bill would amend section 402 of the National Housing Act by providing that without the prior written approval of the Federal Home Loan Bank Board no mutual savings bank which is an insured institution (that is, an institution the accounts of which are insured by the Federal Savings Insurance Corporation) shall become a party to a merger or consolidation or to a transaction by which, otherwise than in the ordinary course of business, such bank transfers or acquires assets or transfers or assumes liabilities.

The section provides that the Board shall not grant approval unless it determines that the proposed transaction will be in the public interest, taking into consideration its effect on competition (including any tendency toward monopoly) and such other factors as the Board deems appropriate.

Further provisions of the section, applicable unless the transaction is one to which section 32 of the bill or subsection (c) of section 18 of the Federal Deposit Insurance Act (which latter provision is commonly referred to as the Bank Merger Act) is applicable, are similar to provisions of said section 32, including provisions as to reports of the Attorney General, the Board of Governors of the Federal Reserve System, and the Federal Deposit Insurance Corporation.

Section 203. Insurance by the Federal Savings Insurance Corporation: Section 203 would require the Federal Savings Insurance Corporation to insure the deposits of each Federal savings bank and authorize it to insure the deposits of mutual savings banks chartered or organized under the laws of the States, the District of Columbia, and the territories and possessions.

Section 204. Conforming amendments to section 406 of National Housing Act: Section 204 would make conforming amendments to provisions of section 406 of the National Housing Act affected by the extension of insurance under title IV of that act to deposits in Federal savings banks and mutual savings banks of the States, the District of Columbia, and the territories and possessions.

Section 205. Conforming amendment to section 407 of the National Housing Act: Section 205 of the draft bill would amend section 407 of the National Housing Act (relating to termination of insurance of accounts by the Federal Savings Insurance Corporation) so as to include Federal savings banks along with Federal savings and loan associations among the institutions which cannot voluntarily terminate their insurance with the Federal Savings Insurance Corporation.

Section 206. Change of insurance from Federal Deposit Insurance Corporation to Federal Savings Insurance Corporation: Section 206 provides that when a State-chartered mutual savings bank insured by the Federal Deposit Insurance Corporation qualifies to be insured by the Federal Savings Insurance Corporation or is converted into a Federal savings bank or merged or consolidated into a Federal savings bank or a savings bank which is, or within 60 days becomes, an insured institution under section 401 of the National Housing Act (relating to the Federal Savings Insurance Corporation), the FDIC shall calculate the amount in its capital account attributable to such mutual savings bank, as set forth in the draft bill. This amount is to be paid, as set forth in the bill, by the FDIC to the Federal Savings Insurance Corporation.

Section 207. Eligibility of mutual savings banks for FDIC insurance: Section 207 would end the future eligibility for FDIC insurance of those mutual savings banks which the bill would make eligible for Federal Savings Insurance Corporation insurance. It would not affect the FDIC insurance of mutual savings banks which on the effective date of the new provisions were insured by the FDIC.

Section 208. Amendment of criminal provisions: Section 208 would amend a number of specified provisions of title 18 of the United States Code, which relates to crimes and criminal penalties. The principal object of these amendments is to extend those provisions so as to make them applicable to Federal Home Loan Bank members and institutions insured by the Federal Savings Insurance Corporation, which would have the effect of making them applicable to Federal savings banks since all such banks would be required by the draft bill to have such membership and insurance.

Section 209. Technical provisions: Section 209 provides that headings and tables shall not be deemed to be a part of the act and that no inference, implication, or presumption shall arise by reason thereof or by reason of the location or grouping of any section, provision, or portion of the act or any title of the act.

Section 210. Separability: Section 210, the last section, is a separability provisions along usual lines.

THE PRESIDENT AND THE CANAL TREATY

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BURTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BURTON of California. Mr. Speaker, President Johnson deserves to be commended for his announcement that the United States is ready to scrap the Panama Canal Treaty of 1903 and draft a new one which will recognize the legitimate rights of the Republic of Panama. This is the judgment of the San Francisco Chronicle, as expressed in a recent editorial, and it is also my own.

The present canal in Panama, with its narrow locks and limited capacity, is obsolescent. It will soon be altogether obsolete. The treaty between Panama and the United States, negotiated under the conditions which prevailed in 1903, is also obsolete.

It is the creature of another age. It has served its purpose, but it is a continuous reminder to the small and relatively defenseless nations of the earth of those days when the only law of nations was the rule of the stronger.

It is the overriding policy of the United States to avoid a return to that kind of morality in this nuclear era. We can

scarcely ask others to do what we refuse to do ourselves. We ask of others that they seek reasonable and just solutions to their differences.

We ask others to put aside might and seek the right. If we wish this message to be heard, we, ourselves, can do no less.

This principle has been eloquently set forth in a few short paragraphs in the editorial of the San Francisco Chronicle to which I allude, and I include that editorial in its entirety in the RECORD where all the Members may have an opportunity to read it:

THE CANAL TREATY

President Johnson deserves to be commended for his announcement that the United States is ready to scrap the Panama Canal Treaty of 1903 and draft a new one which will recognize the Republic of Panama's sovereignty over the Canal Zone and give the Panamanians a share in the management and profits of canal operations.

Through at least four Washington administrations, the canal has been a divisive ditch between rational officials and the muzzle-loader patriots who battled any solution except continued U.S. rule in the Canal Zone. Included among these flag wavers who have proved so difficult to defeat were Americans living in the zone—and living well, under the status quo. Many of them exhibited a stiff-backed refusal to acknowledge the rights and the human dignity to which the Panamanians are entitled. It is encouraging that after prolonged struggle with these American obstructionists, good sense now seems to be winning.

Scrapping the old treaty is long overdue. It was signed in 1903 by dint of what could only be called gunboat diplomacy. President Truman, in 1945, recognized this and suggested that the Canal Zone should be internationalized, rather than governed by the United States. Nothing was done about that. President Eisenhower later declared that the Panama flag should be accorded equal display in the zone. While this was done, rioting in 1964 gave evidence that the only satisfactory solution would be a whole new treaty.

International control of the canal by the United Nations, a proposal never fully explored, might have much to recommend it. Nevertheless, the current proposal of President Johnson, by which the United States and Panama could achieve a working partnership, certainly should be a forward step.

PANAMA CANAL SOVEREIGNTY: VIEWS OF SECRETARY OF STATE DULLES

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. FLOOD. Mr. Speaker, on previous occasions when addressing this body, I have quoted significant statements on the question of Panama Canal sovereignty by some of our country's greatest leaders. Among those cited were John Hay, when he was Secretary of State; William Howard Taft, when he was Secretary of War, President-elect, and President; Charles Evans Hughes, when he was Secretary of State; and Theodore Roosevelt, when he was ex-President.

After the Suez crisis in 1956, I received information from a former staff member of one of our embassies in Latin America to the effect that Secretary of State John Foster Dulles had issued an order to the Foreign Service of the United States which was read by our Ambassador in that country to his assembled staff. As reported to me, this order by Secretary Dulles stated that the Suez and Panama Canal situations were dissimilar, that no officer in the Foreign Service, in conversation, speaking or writing, was to equate the status of the Panama Canal with that of the Suez Canal, and that violators of the order would be disciplined.

Subsequently, I endeavored to obtain a copy of this order of Secretary Dulles from the Department of State but was advised that it could not be located. Later, however, in the discussion following an informal address in Washington in 1963 on the Panama Canal by a representative of the Department of State, this official, in replying to a question from the floor about the 1956 Dulles order, admitted that it was still binding.

Recently, I located a news dispatch from Panama in the August 29, 1956, issue of the Evening Star, Washington, D.C., quoting statements made by Secretary Dulles in Washington as regards the difference between the Suez and Panama Canal situations. This published statement confirms the key points in the order of Mr. Dulles that was read to the Embassy staff in the Latin American country.

In order that this significant declaration by Secretary Dulles may be recorded in the permanent annals of the Congress for reference in connection with Panama Canal sovereignty statements of our other leaders previously mentioned in the current canal treaty debates, I quote it as part of my remarks:

DULLES STIRS UP PANAMA AND JAPAN, ALL IN 1 DAY

PANAMA, August 29.—Secretary of State Dulles' latest comparison of the Panama and Suez Canals today heightened a new flareup of anti-U.S. feeling in Panama.

The Secretary told a news conference in Washington yesterday the United States has all the rights in the Canal Zone which it would possess if it were the sovereign—"to the entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, powers, or authority."

His statement landed squarely in the middle of one of the touchiest points in relations between Panama and the United States. Within hours Foreign Minister Alberto Boyd got out a statement taking issue with Mr. Dulles and outlining Panama's position.

SOVEREIGNTY RETAINED

Panama has steadfastly claimed sovereignty over the Canal Zone, as distinct from jurisdictional rights granted to the United States by treaty. Panama's position is that the rights given the United States were only for the purposes of construction, operation, maintenance and defense of the waterway.

Mr. Dulles got into the Panama question with a statement declaring the situation pertaining to the Suez Canal and the Panama Canal are "totally dissimilar in two vital respects." He said the Suez was internationalized by the treaty of 1888, while the United States has rights of sovereignty over the Panama Canal.

The second dissimilar aspect, he went on, involves the dependence of a large number of countries on the Suez and their fear that this lifeline may be cut.

DIFFERENCE SEEN IN PANAMA

"As far as I am aware," Mr. Dulles said, "no country anywhere in the world fears that its economy is jeopardized by our possible misuse of our rights in the Panama Canal."

Replying, Mr. Boyd pointed out the Panama Canal was built on Panamanian territory and said the provisions on neutralization and freedom of transit in the Constantinople convention of 1888, internationalizing the Suez Canal, are applicable to the Panama waterway.

MENTAL RETARDATION, POVERTY, AND OPTIMAL DEVELOPMENTS

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. FOGARTY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. FOGARTY. Mr. Speaker, under leave to extend my remarks, I would like to include a speech which I delivered at the 45th annual convention of Civitan International on Tuesday, June 29, 1965:

MENTAL RETARDATION, POVERTY, AND OPTIMAL DEVELOPMENTS

(Remarks of U.S. Representative JOHN E. FOGARTY, 2d Congressional District of Rhode Island, at the 45th annual convention of Civitan International, June 29, 1965, Sheraton-Park Hotel, Washington, D.C.)

Mr. LeBlanc, honored guests, and gentlemen of Civitan International, the particular pleasure which I am experiencing in being with you today is derived from two sources. First, it is a pleasure to be with a group like yours which I know has contributed so much to the mentally retarded in your communities. Second, in recent years the occasions on which I have spoken about mental retardation have been hopeful occasions.

The progress we have made against this complex and multidimensional problem has been steady, continuous, and visible. I think you need only to look back on your own first efforts in this field to verify this statement. I venture to say that each of you could be witness to the fact that attitudes toward the mentally retarded—and toward mental retardation—have changed. You, like me, cannot help but be aware that we have made great medical and scientific advances against this condition. The political victories we have won are equally impressive: the array of legislation directed toward conquering mental retardation which has been enacted in recent years is unparalleled in the history of our country. No other handicapping condition has been the object of so much governmental concern.

To give you an overview of what I mean by this last statement, I would like to run over briefly the activities relating to mental retardation that are underway in just one of our executive agencies, the Department of Health, Education, and Welfare. Then I would like to discuss briefly the way in which the war against poverty ties into the war against mental retardation. Finally, I would like to focus your attention on what I believe will be the next great front in this war: the assault we are just beginning to make to insure that each child's cognitive powers are developed to the utmost.

As we advance in this area, I think we will find that the battle against mental retardation has also become a battle for optimal development.

Present programs in the Department of Health, Education, and Welfare relating to mental retardation are wide. They provide services to the mentally retarded—through State health departments and crippled children's agencies that use maternal and child health funds administered by the Children's Bureau and Welfare Administration. These funds are designed to increase the services available to the retarded, enlarge existing mental retardation clinics and increase the number of clinics.

Present programs of the Department provide for the professional preparation of persons to work on mental retardation problems and with the mentally retarded. Under programs of the Office of Education, approximately 2,400 fellowships and traineeships were awarded last year for the training of teachers of mentally retarded children. Other training programs included support of professional preparation programs in the following areas: research training in the basic and clinical biological, medical, and behavioral sciences; training of professional personnel for the provision of health, social, and rehabilitative services for the mentally retarded; in-service training of workers in institutions of the mentally retarded.

Last year research programs of the Office of Education, the Public Health Service, the Vocational Rehabilitation Administration and the Children's Bureau were directly related to mental retardation. This research was being carried out on many levels. Some of it was basic research—for example, into the nature of metabolic errors. Some of it was designed to provide demonstration projects in areas such as diagnostic services, adolescent retardation, and improvement of services in institutions for the mentally retarded.

The construction programs administered by the Public Health Service provides for the construction of three types of facilities for the mentally retarded. They provide for research centers for the development of new knowledge for preventing and combating mental retardation. They provide for university-affiliated facilities to train physicians and other professional personnel vitally needed to work with the mentally retarded. The construction of community facilities for the mentally retarded also began this year.

These facilities will provide for a variety of services: diagnosis, treatment, education, training or care of the mentally retarded, including sheltered workshops.

In addition to these programs for construction, research, training and services, a program administered by the Department is providing funds to assist the States in planning comprehensive mental retardation programs. Also five federally supported public assistance programs help to maintain the income of children deprived of parental care and of persons permanently and totally disabled by reason of mental retardation.

These, very briefly are the programs already being carried out by the Federal Government to benefit the mentally retarded, and to prevent mental retardation. Funds obligated in the Department have increased from less than $15 million in fiscal year 1956 to an estimated $239 million for the current fiscal year, and a projected expenditure of almost $281 million in the fiscal year beginning July 1. The programs are constantly being expanded, and new legislation is continually being enacted to broaden their scope, and to create new programs when needed.

For example, recently enacted legislation greatly expands existing provisions for research and training in the education of mentally retarded children. Under the provisions of this new legislation, appropriations to assist in the education of handicapped children will increase from $19.5 to $24.5 million, and authorization for the appropriations for training teachers of the handicapped and for demonstration projects is extended through fiscal year 1971.

To this broad range of activities, carried out by the Department of Health, Education, and Welfare and directed against mental retardation, has been added the new programs directed against poverty. In truth, the war against mental retardation and the war against poverty are in large part aimed at common enemies. Though some of the retarded are born to moderate and well-to-do families, and many of the economically deprived have good intelligence, an overwhelming majority of the retarded—perhaps as high as 90 percent—are concentrated in the socially, economically, and culturally deprived segments of our society.

It is not suggested that poverty by itself causes mental retardation any more than it causes crime, alcoholism, mental illness and drug addiction. Yet the frequency with which these social ailments occur among the poor cannot be lightly dismissed as merely coincidental. Deeply rooted with the poverty syndrome are a host of social stress factors—chronic and acute—which directly or indirectly contribute to biological, intellectual and social dysfunction and which militate against the optimal development of those caught in the web of deprivation.

For example, among the mentally retarded in whom there is an identifiable organic cause for their condition there is a highly significant group of mothers who, because of medical indigency and substandard living conditions, are particularly vulnerable to prematurity, complications of pregnancy and various disease processes. These factors, biomedical in nature and known agents in mental retardation, are not easily disassociated from the social environment in which they so frequently occur.

Organic retardation, while obviously not a phenomenon unique to disadvantaged families, is aided and abetted by social forces hostile to maternal and child health. These forces account, in large measure, for the poor quality of human reproduction in this country. Despite the highest standard of living anywhere, we rank only 11th among the nations having the lowest rates of infant mortality and morbidity—a fact which I, for one, find shocking each time it is brought to my attention.

Among the 30 million people who populate our city and rural slums, in our Southern States, in the charity hospital of our cities and in the depressed areas of rural Appalachia, these rates and those for prematurity and other childbearing complications are extremely high.

Better prenatal care, improved diets, and skilled management of complicated pregnancies should markedly reduce our casualties from difficulties associated with human reproduction, but our success will be limited unless we alleviate the social conditions in which these disabilities fester.

The large majority of the retarded—estimated to be from 75 to 85 percent—and falling generally within the mild range of intellectual disability, have no demonstrable brain damage, insofar as we can tell using present instruments for measurement. The causes of retardation in this group are not, as yet, completely understood. But the remarkably heavy prevalence of persons affected in the lowest socioeconomic segment of society is a clear indictment of the causative or contributory role played by adverse environmental conditions.

The underprivileged child is in a real sense a victim of his social heritage. Often he lacks proper nutrition and health care, gets little mental stimulation and incentive to learn, and few constructive guidelines to follow in patterning his behavior. Even when he is well-born physiologically, his chances to be well-reared are minimal. And when he, too, must assume the burdens of self-support and parental responsibility, he can give no more to his children than he himself received.

So important are the social-economic factors of human development that what was said by one investigator is substantially correct:

"There are two determinants of intellectual growth: a completely necessary innate potential * * * and a completely necessary stimulating environment. It is not to the point to ask which is more important; hypothetically, we might expect that intelligence will rise to the limit set by heredity or environment, whichever is lower. Given a perfect environment, the inherited constitution will set the pace; given the heredity of a genius, the environment will do so."

The unfavorable social conditions into which many children are born does not provide the completely necessary stimulation for optimal growth. While few of the offspring of chronically disadvantaged parents have the potential of a genius, neither are most born with defective intellect. Rather, retardation is thrust upon them by forces which prevent the realization of their innate potential.

These negative forces are now being attacked by the war against poverty. Still in its initial stages, this war will undoubtedly have significant results in the next few years. If each community took good care of its childbearing mothers, assuring them of proper care; if each community took good care of its infants, assuring them adequate nutrition and medical care, and helping the infant's parents give them loving care and appropriate experiences with living; if each community undertook to develop fully the intellectual potential of its toddlers and preschool children, the effects these measures would have upon both poverty and mental retardation would be enormous.

And the quality of the human beings we produce and develop would be permanently and visibly improved.

It is at this point that our battle against mental retardation will become a battle for optimal development.

Already investigators preoccupied with problems of mental retardation—and with cultural deprivation—are producing results which lead as naturally, when the time comes, the point where a new social imperative is developed—that the optimal development of each of our citizens is an obtainable social goal.

In our search for the fulfillment of this American dream, we will need to learn a great deal more about how human beings achieve the cognitive development which enables them to master and form their environment. The Head Start program, though now centered around the problem of how we may help deprived children become ready for the learning experiences of our public schools, is a beginning in this direction. It recognizes that the child brings to his school experience habits of mind and thought and life experiences which will enable him to learn, or insure that he will fail. It recognizes the truth of the old saying: "When the pupil is ready, the teacher will come."

When you return to your communities, and continue the work which you are doing to combat mental retardation, I hope you will remember the larger battlefield within which it is being fought—a battlefield which also contained within it elements of the war against poverty, and for the ultimate achievement of the American dream of individual excellence.

LOST GOALS IN AFRICA

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. REUSS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. REUSS. Mr. Speaker, the emerging nations of Africa are playing an increasing role in world affairs. U.S. policies toward these new countries must be reviewed constantly.

In the October 1965 issue of Foreign Affairs there appears a thought-provoking article by Arnold Rivkin, of the International Bank for Reconstruction and Development on the crucial subject of our relations with the countries of Africa. As I believe that Mr. Rivkin's thoughtful analysis of our African policies will be of interest to Members of this House, I include the text of the article:

LOST GOALS IN AFRICA

(By Arnold Rivkin)

U.S. policy in Africa has lost much of its credibility for a large part of the African continent. We have held out hope for more than we have, in the event, been able or willing to deliver. Often the promise of brave words was extravagant and unwise; but what is noticed is that it has not been matched by congruent acts. We have seemed to say one thing and do another. For example, to most of Africa the unqualified and warmly welcomed pronouncement of the U.S. Assistant Secretary of State for African Affairs—"the United States stands for self-determination in Africa"—appears to have been disregarded, even repudiated, in practice, with respect to what in African eyes is the acid test of our bona fides, the "white redoubts" in southern Africa. Again, in promising major and growing American aid for a decade of development we declared it to be a primary necessity, opportunity, and responsibility of the United States to help make a historic demonstration that economic growth and political democracy can go hand in hand in building free, stable, and self-reliant countries. This hope has now been substantially dissipated by the evolution of the U.S. aid syndrome in Africa—initial good intentions, objective standards, policies of rewarding merit, yielding to the pressures of the moment, the putting out of fires, the special concern for "bad boys," "problem children" and the crisis-prone, the needs of containment, the special interest of allies, the U.S dollar drain, etc.

So, too, our promise of uncritical support for African aspirations and goals—as if all of Africa shared the same set of aspirations and goals: "What we want for Africa," said the Assistant Secretary of State for African Affairs, "is what the Africans want for themselves." Its naivete was exposed when it came up against the shattering realities of African diversity and division in the renewed Congo crisis. The inability of the Organization of African Unity to cope with the crisis only served to emphasize the lack of agreement in Africa on aspirations and goals. The aftermath of the Congolese rescue operation in November 1964 brought this message home to the United States. One part of Africa responded with what Ambassador Stevenson called an unprecedented torrent of abuse, verbal violence, hatred, and malign accusations against the United States. Another part silently acquiesced or openly approved the Belgian-American action.

There is a prevalent feeling among Africans that after a brief encounter the United States has lost interest and is having second thoughts about Africa. Have we and are we?

Africa more than any other area of the world was to assume a new importance under the Kennedy administration; Africa was to be a new frontier for U.S. foreign policy. This was the promise of the President's unprecedented action in choosing for his very first appointment to the State Department a prominent political personality to be the Assistant Secretary dealing with African affairs, and of the accompanying announcement that in his administration the new post would be second to none in importance. This initial promise was quickly reinforced.

First, the United States repudiated its apparent acquiescence to the Portuguese position that its African territories are constitutionally integral parts of Portugal, and substituted a policy looking toward self-determination for Angola. Ambassador Stevenson's warm support of the resolution calling for a U.N. investigation of conditions in Angola moved the Liberian representative on the Security Council to declare that Stevenson's words would reverberate throughout Africa.

Then the President, in his first foreign aid message to Congress, called for a new aid agency, with a mandate to mobilize U.S. and other free world resources for a decade of development in the underdeveloped southern half of the globe. Significantly, from the point of view of Africa's new importance, within months of his message and before Congress could enact new legislation, President Kennedy dispatched a special mission to Nigeria, to study its economy and its new development plan to determine the country's eligibility for a long-term U.S. aid commitment under the new criteria—long-term planning, absorptive capacity, self-help, and social justice. The Nigerian mission, the first anywhere in the world under the new criteria, was soon followed by another to Tunisia. Two unprecedented long-term commitments resulted: $225 million for Nigeria's 6-year plan and $180 million for Tunisia's 3-year plan.

The revolution of rising expectations generated in Africa by these new departures in American policy was relatively short lived. Early in 1963, the Chairman of the State Department's Advisory Council on African Affairs wrote: "By 1962 numerous African leaders who had welcomed Assistant Secretary Williams' visit in 1961 as a portent of great things to come were beginning to wonder whether the New Frontier was all public relations and no real help."[1]

Disillusion followed disappointment when the administration seemed to contradict its dramatic new policy—self-determination for the people of Angola—by continuing to supply arms to Portugal. Similar feelings were aroused when the administration seemed to hold back from applying its publicly stated policy of "self-determination in Africa" to the Republic of South Africa, even though the circumstances were different and even though it did eventually support a voluntary prohibition on shipment of arms to South Africa. Disillusion also resulted from the apparent acceptance by the administration of the finding of the President's Committee on U.S. Foreign Aid, the Clay committee, that, notwithstanding our proclaimed policy of support for the revolutionary transformation underway in Africa from colonial dependency to national independence, Africa was an area of primary interest for the outgoing colonial powers and not for the United States. The Nigerian Ambassador to the United Nations, concerned about the implications of the Committee's findings for his own country and for Africa generally, hurried to Washington seeking assurances that Africa was indeed still a new frontier in U.S. foreign policy. He received assurance only that the administration would continue honoring its pledge of support for Nigeria's 6-year plan; nothing more could be said about future aid.

Nothing has since occurred under the Johnson administration to reverse the downward spiral of African importance in American policy. In Washington, Africa now has the lowest priority of any area. This has always been more or less State Department practice in making foreign policy decisions; now it has become a matter of national policy.

II

Africa has come to be an area of residual interest for the United States. It is not merely that former colonial powers are recognized as having the primary Western interest and responsibility; in principle, this may be a quite defensible position. But in practice the principle has been pushed to extremes. It has meant that the interest of the United States comes into play only as the court of last resort, when there are no acceptable alternatives available. Thus, it is only where the decolonization process has gone wrong, as in the cases of the Congo (Léopoldville) and Guinea, or where there have been special situations, such as those arising out of the abrupt liquidation of Italy's African Empire, or where there has been no colonial relationship, as in Liberia and Ethiopia, or where the needs were obviously beyond the capacity of the outgoing colonial power, as in Nigeria—it is only then that the United States has stepped in to play a major role. As circumstances have permitted, we have encouraged the former colonial power to remain or to come back into the picture.

In short, with the exceptions of Nigeria and Tunisia, where independent assessments of their importance and potential for development were made, the United States has allowed the quirks of history and the policies of other Western Powers to impose a crazy quilt of special relations in Africa. As a matter of chance, some of these may coincide with a sound U.S. policy for Africa; others seem highly dubious. The incongruity of our position in Africa has been heightened by our attenuated relations with the many other African States which, not being "special cases," are not thrust into the orbit of active U.S. interest.

In the remaining colonial territories, inevitably and quite naturally, the United States has deferred to the colonial powers, the United Kingdom, and Portugal. The problem, however, has become one of limits. At what juncture do these territories of free-world nations become a matter of direct concern, even responsibility, for the leading free-world Nation? American policy has been equivocal.

In State Department practice as well as policy, the notion of residual interest operates. For the most part, major decisions of African policy are determined, not in the African Bureau of the State Department, but in the European Bureau and, insofar as the United Arab Republic is concerned, in the Near Eastern and South Asian Bureau. Certainly this is true of U.S. policy toward Portuguese Africa and Rhodesia. But more surprising, policies toward independent African States are also shaped in the European Bureau. The sensitivities of President de Gaulle, as judged by the European Bureau, rather than an independent assessment of the U.S. national interest in various French-speaking countries, is likely to be the decisive factor. Thus, for some 3 years the United States severely limited its relationship with Guinea, even though Guinea had broken with France in achieving its independence. Notwithstanding the existence of the very situation

[1] Vernon McKay, "Africa in World Politics." New York: Harper & Row, 1963, p. 360.

which should have triggered active U.S. interest in Guinea, our respect for French primacy and De Gaulle's wishes prevented our taking action. Only after Guinea withdrew from the tightening Soviet embrace in 1962 did we take an active interest there, partly because the containment policy demanded that we take preemptive action to forestall the elements in the Parti Démocratique de Guineé which were seeking a rapprochement with the Soviet Union or an expanding relationship with Communist China, and partly because De Gaulle had relented enough in his attitude toward Guinea to allow the United States to enter the scene.

The policy of containment of the Soviet Union and Communist China is indeed a principal reason for retaining even a residual interest in Africa, so as to avoid the possibility of a "dangerous vacuum" where a colonial power has failed to make a reasonable accommodation with a former colony. The desire to deny, in very different circumstances, the Congo, Guinea, and Somalia to Soviet or Communist Chinese hegemony has certainly been a prime consideration in our policy toward these three countries. Similarly, fear that failure of the colonial power to take adequate steps to avoid crisis situations which the Communist powers could exploit has influenced us to go as far as we have in our policies toward Rhodesia and Portuguese Africa.

As with any policy depending on the actions of others, the United States has found itself on the horns of more than one dilemma. For example, the policy of residual interest has thrust the United States into support of Ethiopia, and the policies of residual interest and containment into support of Somalia, while the two states are engaged in an undeclared but nonetheless violent war. Similarly, the policy of containment has led us to provide large-scale agricultural commodity assistance to the United Arab Republic, and the policies of residual interest and containment have led to our principal commitment in Africa, support of the Congo—where the United Arab Republic has long been engaged in attempting to overthrow the Central Government by one means or another. I cite these cases not because our action in either of them was necessarily wrong, but to underscore the difficulties of relying too much on the policies of third countries in determining our own.

The expansion of the policy of containment by word and action in Vietnam and the Dominican Republic has far-reaching implications for Africa. Thus, Castroite Cuba's role in the Zanzibar revolution of January 1964 not only illustrates the varied character of the Communist drive to export revolution to Africa, but also suggests the scope of the containment that may be required in Africa. So, too, the abortive but nearly successful Communist attempt in the Sudan to capture control of the revolution which ousted the Abboud military government. If the tougher policies we have been following elsewhere mean that we cannot accept a Communist takeover in Africa either, then we can hardly afford to avoid involvement until the last moment. By an act of self-abnegation, we cannot remain aloof from Africa, except as determined by the actions of other powers, and at the same time be on call to put out fires on a continent where political instability is endemic.

Our unwillingness to take more initiative in Africa is all the more remarkable because it is the one area of the world in which the United States has more freedom of action and fewer constraints on its foreign policy-making than in any other. The administration seems to have accepted as applicable to Africa the Kennan-Lippmann thesis on the limitations of U.S. capacity to influence the direction of affairs in distant areas of the world. Yet, remote as it is from Communist China and the Soviet Union, Africa does not present the geopolitical difficulties we find in dealing with crises in southeast Asia, the Middle East and Eastern Europe. We are not limited by regional (and related bilateral) military alliances comparable to NATO, CENTO, SEATO, ANZUS, and the O.A.S. defense systems. In Africa, also, we should be comparatively free from pressures arising out of commercial interests; Africa accounts for less than 5 percent of our total foreign trade and investment.

One result of our policy of self-abnegation is that the desire of the newly independent states to widen their relations and dilute the influence of their former colonial masters is being ignored, and the conditions for their continuing dependency are being nurtured. This promotes the image of neocolonialism and African stooge governments ripe for national liberation, as propagated by Communist China and radical nationalist African states such as Ghana. The fewer alternatives the new states are offered to diversify their political and economic relations within the free world, the more they are forced either to preserve old patterns of dependency or to swing to the left into Communist orbits. Our experience in Latin America provides some apposite lessons on what can happen when an outworn relationship is persisted in too long.

In conflict with our traditional policies, we are also contributing to the resurrection of the outmoded concept of great power spheres. Walter Lippmann advanced the view that the French interest in Gabon is comparable to the vital interest hegemony which he concedes to Communist China in southeast Asia and to the United States in Latin America. Interestingly enough, President de Gaulle, while apparently accepting the idea of French and Communist Chinese spheres of influence, does not, judging from his tour of South America and his condemnation of U.S. intervention in the Dominican Republic, seem to accept our sphere in Latin America.

Our overall attitude toward Africa has also limited our relationship with many of the African states whose foreign policies have most often coincided with our own, particularly on the recurring Congo crisis, but also on other issues of special importance to us, such as the admission of Communist China to the United Nations. Ever since France's recognition of Communist China, a number of French-speaking African states (Congo-Brazzaville, Dahomey, Senegal, the Central African Republic, and Mauritania), which we have recognized as remaining in the French sphere of influence, have also been reversing their position on that issue. Now, with half the population of India, Africa has almost one-third of the membership of the United Nations. Reasonable or not, this means that Africa can significantly influence the balance of world political power. In fact, the U.N. vote, which for the last several years has pivoted on the ballots of the African states, will probably go against us this year or next if this new French-inspired trend continues. Only Communist China's ineptitude so far in her relations with the new African States has stemmed the turning tide.

III

What could be done to restore the promise and the credibility of U.S. policy in Africa? The point of departure must be to do away with the principal causes for past contradictions and inconsistencies. First, the United States should abandon the policy of having a merely residual interest in Africa and recognize that with 36 independent states (excluding South Africa) in existence and another three or four in the offing, the continent can no longer be viewed as of only derivative interest to the United States. We should make it clear that we have a coherent African policy, and not simply improvised positions deriving from our NATO relationships and our cold war involvement.

This means that we must cease to pose African policy questions in terms of a dilemma: pleasing African states or pleasing our NATO allies. Each must be considered, but neither exclusively or even preponderantly. Our NATO allies are no more homogeneous in their policies and interests than are the African states. On a few issues, however, such as independence for the Portuguese territories, there is a consensus among African states. Because the issues on which Africans agree are so few, those issues take on added importance. The question then becomes one of means. If in keeping with our policy of self-determination for Africa we think it right to support steps in that direction in Portuguese Africa, how can we take effective steps with the least damaging effects for Portugal and NATO? Certainly, several of our NATO allies have time and again taken positions and followed policies in conflict with our own with respect to Cuba, the Dominican Republic, Vietnam, Communist China, the test ban treaty, trade with the Soviet bloc, etc., without the United States pulling the NATO house down. So too, in Africa, we have long supported self-determination for African colonies without the United Kingdom, France or Belgium tearing the alliance apart. Portugal may react differently. That would seem to be the risk we must run—but it is certainly a lesser one than compromising our policy of support for self-determination and alienating much of Africa. In any event, NATO's present disarray, centering as it does on France, is so basic that, although any further dissension in the alliance would be undesirable, the disaffection of Portugal would hardly seem crucial to the alliance's future.

Third, the United States must recognize that on a continent ripe for revolution in the judgment of the world's leading practitioner, the policy of active containment is neither appropriate nor feasible. Intervention of the type practiced in Vietnam and the Dominican Republic to forestall Communist-inspired wars of national liberation is obviously out of the question. Yet this is what the containment policy suggests, if France, the United Kingdom or Belgium should falter in their determination or capacity to preclude Soviet or Communist Chinese penetration and takeovers. Our posture in the Congo has not been too far removed from active intervention, and if the situation should deteriorate again, what then?

Africa now has a momentum of its own in world affairs which cannot be disregarded. Withdrawal and then sudden thrust by the United States in response to one crisis or another has all the disadvantages of both policies. Our sudden bursts of energy to counter Communist initiatives simply distort our basic interest in the development of the African States themselves by exaggerating cold war considerations. They also put in question the credibility of our oft-stated interest in the development of politically independent and economically viable States, free to determine their own external policies.

Thus, it is to the positive aspects of policy that we must address oursleves. How can we help the new states to consolidate their independence? This is the best sort of containment and, as a practical matter, the only sort conceivable for most of Africa.

For all new African countries, the achievement of formal international sovereignty is but the beginning of their travail. They all have to build states, nations, market economies and modern societies. In the words of the Assistant AID Administrator for Africa: "The newly independent countries of Africa are today at a critical stage of development. The courses of action taken now by the United States may profoundly influence their political, economic and social structures for generations to come. It is clearly in our interest to seize the opportunity to help the

relatively new and emerging nations of Africa to develop along constructive lines." [2] The alternative is unacceptable—endemic instability, bush-league arms races, brushfire wars, Latin American-style militarism, despotism, declining living standards and an ever greater gulf between the developed Western and the underdeveloped African States.

In the broad political arena, we should reassert the basic U.S. interest in the emergence and development of stable and viable independent states in all of Africa, and affirm our intention to help in the process. The United States must also redeem its unqualified pledge of support for self-determination in Africa, making it clear that we do not draw a line at the Zambezi or Limpopo Rivers so as to exclude from this pledge the white-dominated areas in southern Africa. Failure to find an orderly and peaceful route to independence for the remaining colonial territories in Africa, and the inevitably ensuing violence, would be—in fact already is being—attributed to U.S. policy, or lack of it.

Finally, the most intractable problem of all—the Republic of South Africa. Here, a determined white government, with the considerable economic and military resources of a rapidly developing country, has committed itself to a policy which despite its rationale of separate development for Africans does in fact deny the nonwhite majority the right of self-determination. The United States can rescind its pledge of support for self-determination as inapplicable in the context of an already independent country. Lenin's ambivalence on the nationality question, favoring self-determination in Russia and elsewhere in Europe but denying its applicability once a socialist government comes to power, offers a precedent. Such a tactic on the part of the United States would be viewed as skeptically in Africa as Lenin's reversal is in the United States.

Having condemned apartheid and voluntarily imposed a ban on arms shipment to South Africa, the United States has accepted the need to bring pressure to bear to induce South Africa to change its policy. The basic decision of principle having been taken, what remains is to find that combination of persuasion, inducement and coercion which would be both effective and acceptable. This will not be an easy or quick task. An opportunity for action may be offered by the World Court in the case now before it, where South Africa is charged with violation of its League of Nations mandate over South West Africa in applying apartheid to the mandated territory. In the event of an adverse ruling, South Africa may be confronted with the dilemma of accepting the decision, with all that would entail for the practice of apartheid in South Africa itself, or defying the Court and laying a new basis for the U.N. to assume jurisdiction and take action. This would leave the United States and other Western countries with considerably less discretion about what their response should be to African pressures for applying sanctions.

Another problem of concern to the United States is the mounting overt and covert flow of arms, munitions, and military missions to Africa—for national armed forces as well as for liberation forces. Means must be found to achieve "preventive disarmament" in Africa, not only to increase its internal security but to avoid the increasing diversion of local resources from development to military purposes. In practice, much of the flow of arms for liberation forces has been diverted to other destinations and other ends. The recent incidents in Kenya involving Chinese Communist arms are illustrative. On two occasions large shipments of arms theoretically destined for Congolese and Mozambique rebel forces were transshipped from Tanzania and found hidden or intercepted in suspicious circumstances in western Kenya. These discoveries carried the unmistakable implication of a threat by disaffected internal factions to otherthrow the Kenyan Government with outside support. As a result of Kenya's suspicion that her two partners in the east African common market, Tanzania and Uganda, were involved in such a plot, the prospects of maintaining the common market and expanding it into an east African federation, something which the United States greatly favors, is vastly diminished. In another case, the Sudan's willingness to serve as a corridor for Communist arms shipments to rebel forces in neighboring countries came to a sudden halt because too many shipments were falling into the hands of disaffected Sudanese elements, particularly in the rebellious southern provinces.

The increased flow of arms for national forces also presents a danger. Soviet support of a substantial buildup of Somali Armed Forces has had a direct impact on the two neighboring states with which Somalia has intermittently been warring—Ethiopia, which receives its arms primarily from the United States, and Kenya, which receives its arms primarily from the United Kingdom. Raising the capacity of the three states to make war can only enlarge the already dangerous threat to African peace, drag in cold war issues and divert scarce resources of three of the poorest African states.

Would not Africa be a good place to start arms control and disarmament agreements? It took 6 years for the military regime in the Sudan to be replaced, and then only by extraconstitutional means. The aftermath has been disorder, violence, and political instability reminiscent of the very situation that General Abboud set out to erase with his military coup in 1958. Does Africa have to repeat the Latin American pattern of successive military coups to effect political change?

It seems clear by now that the independent African states are not going to be in a position to liberate, by force of arms, the Republic of South Africa or Mozambique and Angola. It is also apparent that the Western Powers cannot supply even limited kinds of arms to South Africa and Portugal which would not be useful for internal repressive purposes. Simple realism suggests the need for an explicit moratorium on arms for Africa and the effective policing of it by agreement with the African states. Failure to come to grips with this critical issue makes nonsense of so much external economic aid, which in practice is either directly or indirectly diverted to military ends. Unnecessary arms expenditure also undercuts whatever added political stability might be hoped for as a result of economic development. Moreover, in the context of Africa-wide arms control, a total ban on arms and munitions to South Africa and Portugal would become more acceptable. In view of African insistence on declaring the continent a denuclearized zone and urging disarmament on the major powers, it would seem appropriate for the African states themselves to initiate steps toward achieving a moratorium on arms shipments to Africa, and by doing so to lend credence to their other disarmament policies. This would put pressure on the Western Powers to agree and considerable leverage could then be brought to bear on the Communist powers.

Whatever relevancy schemes for peacekeeping by small nations or regional organizations may have in some areas of the world, it seems clear that in this decade such proposals are largely irrelevant for Africa. Individual African States do not have the capacity in being and it seems of doubtful wisdom deliberatley to create it. In any event, whenever the question has arisen, the African States have been unable to agree on the desirability of creating a regional peace-keeping force. Some fear it would mean interference in their internal affairs; others that it would mean support of the status quo and the preclusion of change; and still others that it would mean domination by larger or more aggressive states. And so far, African States have preferred to look elsewhere than to one another for assistance in putting down rebellions—in East Africa, to the United Kingdom, and, in French-speaking Africa, to France.

The Organization of African Unity is structurally incapable of playing such a role at present or in the foreseeable future. With its members deeply divided on fundamental principles, such as the sanctity of inherited boundaries and noninterference in one another's internal affairs, the organization has not been in a position to play any military role at all. In the Congo affair, ever since the withdrawal of the U.N. forces, the OAU has not only been unable to carry out a peace-keeping role; it has also been unable to prevent its minority faction of radical nationalist states and their sometime associates from providing active support and bases for rebel groups. Equally, the OAU has been unable to face up to the problems of guerrilla warfare in the southern Sudan, the Watusi refugees and emigres and their periodic incursions into Rwanda, the continuing quarrels and intermittent violence between Dahomey and Niger, Ghana and Upper Volta, Ghana and Togo, Somalia, and Ethiopia, Somalia and Kenya, etc. To wish upon the OAU tasks it is not yet ready to assume is merely to impair further its limited effectiveness. Our expectations for it have been unrealistic—as we should have known from our experience with peacekeeping in Latin America.

IV

In the economic field no less than in the political arena we must do away with the incongruities which have characterized our economic assistance programs in Africa if these are to play a consistent and effective role in support of U.S. policies. At the outset, we need to reassess the size and composition of our economic assistance to Africa. As the continent receiving the smallest segment of our aid (less than 10 percent), Africa deserves more if we are to give credence to our policy of support for African development. A higher proportion of aid for economic development (as opposed to political purposes) needs to be coupled with a renewed attempt to apply the Kennedy aid concepts, including the conscious provision and programing of technical assistance so as to enlarge the capacity of the African States to absorb external aid effectively.

We should also renew our attempts to achieve the mobilization and coordination of aid to Africa from the free world, to make such aid more effective, increase its availability and improve the terms on which it is made available. Free-world aid to Africa, having reached a plateau, has in the last 2 years actually started to decline. Our own economic aid (excluding surplus food) reflects this downward trend. The appropriation requested by the President for the fiscal year 1966 is almost $100 million less than was obligated in 1962, the high water mark of U.S. aid to Africa.

The decline has set in just as Africa has begun to move forward and to increase its capacity to absorb capital. There are signs,

[2] E. C. Hutchinson, "U.S. Economic Aid to Africa, 1960–64," in Africa Report, December 1964, p. 8.

too, of growing African interest in rationalizing and coordinating the flow of external aid. At the meeting of the Economic Commission for Africa late in 1964, Mr. Robert Gardiner, the executive secretary, called for "a Marshall plan, Colombo plan, or Alliance for Progress for Africa, and suggested the possibility of the founding of an African Council for Economic Cooperation. The new African Development Bank, which came into operation this year with a nominal capitalization of $250 million, will also undoubtedly be seeking outside resources. In view of our contributions to the Inter-American Development Bank and our proffered offers to the proposed Asian Development Bank, it is difficult to see how we can refrain from making significant contributions to the African Development Bank.

It would be in the interest of both the United States and Europe if the heavy dependence of their respective client states in Latin American and Africa could be progessively diversified and shared. Then, a change in the relationship to a former colonial power would not be felt as a wrenching divorce but as a tolerable if regrettable separation.

We also need to rationalize our aid programs and to adhere to objective criteria, thus eliminating the anomalies which make us seem to reward the troublemakers and take friends for granted. If aid is to flow to the United Arab Republic, Algeria, Guinea, and others in the form of surplus agricultural commodities, supporting assistance and emergency aid—without reference to their economic performance and heavy allocation of resources to nondevelopment purposes—then provision should be made to compensate the states deserving of aid by objective economic standards, and to reward, or at any rate not discriminate against, those which are pro-Western in the nonalinement rather than pro-Soviet or pro-Communist Chinese.

From the receiving country's point of view, all American aid, regardless of the particular pocket it comes from, has the effect of enlarging that country's total resources. If a country needs food, it makes little difference whether it receives food or development dollars which enable it to buy food—or, if in budgetary straits, it receives supporting assistance or development dollars. It can always shift its resources around as economic (and political) conditions require. Africans have not been slow to grasp this point. Nigeria, which is frequently cited by American officials as the largest African recipient of U.S. economic aid, has felt compelled to point out that, measured in either aggregate or per capita terms, any number of African countries have received greater assistance if contributions emanating from all U.S. aid pockets are taken into account.

Ghana, Guinea, Mali, Algeria, and the United Arab Republic, all radical nationalist states whose economic performance leaves much to be desired and who are prone to allocate resources to nonproductive prestige purposes and questionable foreign adventures, have each received disproportionately more economic aid than Nigeria, the country we have singled out as one of the two most deserving African countries under the Kennedy economic development criteria. During U.S. fiscal years 1960–64, Ghana, Algeria and the United Arab Republic, with populations of 7.4 million, 10.8 million and 28.7 million respectively, each received as much or more U.S. economic aid (without regard for which U.S. aid pocket it came from) than Nigeria, whose population of 55.5 million is larger than the combined population of the three. During the same period, Guinea and Mali, with a combined population of 8 million, received about one-half as much economic assistance as Nigeria. In addition, such special cases as Morocco, Ethiopia, Liberia and the Congo, with a combined population considerably smaller than Nigeria's, have each received as much or more U.S. economic aid (to say nothing of military) than Nigeria. Yet none of these states has been singled out by the United States as specially deserving of development aid.

The United Arab Republic has received its large share of our economic assistance to Africa in the face of the U.S. Government's own judgment that that country has followed a number of political policies which are not to our liking and contrary to our interests: for example, diverting its resources to aid the Congolese rebels, maintaining 50,000 troops in Yemen, conducting campaigns to coerce Libya into ousting the U.S. airbase, and evidencing hospitality toward Tunisia for proposing negotiations in the Arab-Israeli dispute.

In contrast, the 13 original members of the Common Organization of African and Malagasy States (OCAM), which have on the whole been most vigorous in their support of the OAU principle of noninterference and most articulate in condemning external interference in their internal affairs by Ghana "and other states," have received considerably less economic aid than the five most interventionist states. Indeed, since 1960 Ghana alone has received more U.S. aid than the combined total going to all 13 OCAM states. Guinea has received more during this period than the combined total going to the two most important OCAM states, the Ivory Coast and Senegal. And almost as if to add insult to injury, the United States over the last 2 years has withdrawn its aid missions from the OCAM states and administers aid to them, such as it is, from Washington.

In sum, then, the United States must redress the imbalance in its foreign policies by refocusing its view of American interests in Africa, not by downgrading our traditional interest in Europe or by denying the reality of the cold war, but rather by upgrading the importance of Africa, formulating policies responsive to African realities and striking a reasonable balance among our multiple national interests. The United States also needs to rationalize its political and economic policies in Africa, to make them consistent and credible and thus responsive to our national interest in the development of stable and viable African states.

IMMIGRATION ACT OF 1965

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRADEMAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, on Sunday, October 3, 1965, I had the privilege, along with other Members of Congress and interested citizens, of standing in the shadow of the Statue of Liberty as President Johnson signed into law the Immigration Act recently passed by Congress.

As the only Member of Congress of Greek descent and as the first native-born American of Greek origin ever to serve in Congress, I naturally was very proud to be present for this historic occasion. It was just over half a century that my father emigrated from Greece to the United States in order to become an American citizen.

In signing the Immigration Act of 1965 into law, President Johnson lifted a veil of hypocrisy from the face of that grand old lady that had rested there for 41 years.

In those 4 decades we Americans have said "Give us your tired, your poor, your huddled masses." But what we have really meant was: "Give us your immigrants of Northern European ancestry."

This is the year in which that hypocrisy at last was conquered, the year of triumph for the reform of the national origins system on which our immigration laws were based.

The new immigration law creates a system of selecting immigrants based not on the accident of where they were born—or even where their ancestors were born—but on the basis of reuniting relatives with families who live here, or on the basis of the special talents or skills which an immigrant can contribute to meet our special needs.

None of these immigrants will be admitted if they threaten the jobs or livelihood of Americans, or if they are prospects for welfare roles. The skills which will qualify them for a preference are those proven to be in short supply, or of unusual benefit.

The new law also provides for admitting up to 10,000 refugees a year from Communist or other forms of persecution and from natural disasters, thereby continuing the traditional humane American policy to these unfortunates.

Strict safeguards under the new law will exclude criminals, addicts, subversives, and other undesirables.

The act does not materially increase the total volume of immigration into this country over and above the volume which has been authorized under the preceding law. However, since the practical operation of the national origins system kept out about 50,000 qualified immigrants a year within the total that was authorized, abolition of that system may result in an actual increase in immigration of up to 50,000 a year.

Even that number is microscopic for a country of our size and wealth, where natural growth accounts for more than 60 times that number.

The principal result of the act thus is not to generate increases, but to overcome injustices—and they have been great.

For example, an American citizen with a mother in Greece has had to wait for 5 years—sometimes longer—to obtain the visa permitting her to join him here. An American citizen who had a brother or a sister or married child in Italy likewise had a wait of many years to get a visa.

In contrast to this cruel policy, the same American citizen could bring in a domestic servant from the United Kingdom or Ireland in from 4 to 6 weeks. If he chose one from Sweden, Belgium or Germany, the waiting period was from 8 to 12 weeks.

Put in another way, an American citizen could bring in a total stranger to be his maid in a few weeks, but to bring his mother might take him 5 years.

For 41 years this was the system that this Nation endured, a system which clearly implied that one man's country would necessarily make him a better American than another's. The new immigration reform act corrects that implication.

In addition, the national origins systems deprived us of persons whose skills would have been of the greatest value to this country. There were many cases like that of the American hospital which urgently sought the services of a brilliant surgeon from India who had done important research in heart surgery. But India's quota was only 100. He had to wait years before he could be admitted. This no longer will be true.

Finally, this old system created an image of hypocrisy which was exploited by those who would blacken our stated beliefs in democracy. It provided, for example, that persons of Asian birth were not even assigned to quotas on the basis of their places of birth, but according to that of their racial ancestors. It affected a young man in Colombia who was eligible to come here quite easily because he lived in an independent Western Hemisphere country. His wife also was a native and a citizen of Colombia. But she had a Chinese father and so had to be considered half Chinese. It meant she had to come in under the Chinese quota of 105.

If her husband had chosen to come to the United States alone and achieved citizenship in 5 years she would have been allowed to join him—after 5 long years. Or, if he wanted to come here with her, the wait would have been a little longer—until the year 2048.

Under the old system there was a mandatory provision which inflicted harsh cruelties. It is best illustrated by the case of the young man of Italian descent who met and married an Italian girl while serving with the U.S. Navy in the Mediterranean. They had a daughter, an American citizen by reason of her father's citizenship. The Navy recently gave the young father a new assignment in the United States and he made plans to take his family along. But he could not do so.

Why? Because several years before, the wife was hospitalized with a nervous breakdown. She recovered fully and was discharged. But under the old law, mental disability, whether in the past or in the present, was the mandatory basis for permanent exclusion from the United States. It paid no attention to medical advances in the treatment of mental disturbances.

It was a Solomon-like decision the young father faced. He could leave his wife and child in Italy. Or he could leave the Navy and give up living in this country to live with his family abroad. The new law makes unnecessary such heartbreaking decisions.

The national origins quota system inflicted that kind of penalty. This was the kind of injustice which President Johnson last spring asked Congress to bury by passing this immigration reform bill. To its credit, and the Nation's pride, this request is now a reality.

DEDICATION OF THE 100 HOUSES OF JARDINES VIRU IN LIMA, PERU

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. PEPPER. Mr. Speaker, I recently participated in the dedication of the first 100 homes of a great 900-home housing project being built in Peru by an outstanding American businessman, Mr. Haim Eliachar. As the distinguished President of Peru, His Excellency Fernando Belaunde Terry, whom Mrs. Pepper and I were accompanying, was inspecting the new homes, a citizen of Callao—in the vicinity of Lima—who became a happy owner of one of these attractive homes, respectfully stopped the presidential party and read to the President a beautiful address expressing his gratitude and the gratitude of other homeowners that these homes had been made available to them.

This great project, made possible by Mr. Haim Eliachar and his companies with a loan made by the Bankers Life Corp. of Iowa and guaranteed by our AID program and the cooperation of the Peruvian Government, is a splendid example of what the Alliance for Progress program is doing to make life better for the people in Latin America. This eloquent address by one of the homeowners, Senor Elias E. Cavero Sifuentes, is typical of the gratitude that the people feel in their hearts for what we are doing under this program.

I include it at this point in the RECORD:

In representation of the proprietors of the [housing] development, Jardines Viru, I welcome you on the occasion of the official inauguration of this flowering development which, with the cooperation of the Alliance for Progress, affords us the opportunity to become proprietors of our homes, a desire for which we have hoped for with all of our hearts and which, today, is honored by your presence and that of the distinguished persons who honor us in this transcendental act in the life of this growing development, Jardines Viru, which you, Mr. Constitutional President of the Republic, declared officially inaugurated a few moments ago.

For this reason, upon receiving from your hands, Mr. Constitutional President of the Republic, the symbolic keys which convert us into the proprietors of our own homes, we are jubilant and our hearts, and those of our families, present here, are filled with joy and happiness, for which we are deeply indebted to you.

Mr. President, please accept this modest homage.

HEART DISEASE, CANCER, AND STROKE

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. PEPPER. Mr. Speaker, I rise to point out that the last week in September brought to fruition a proud moment for the U.S. Congress even though no banner headlines announced this act. For when Senator LISTER HILL rose on the floor of the Senate to urge that body to adopt the House version of the Heart Disease, Cancer, and Stroke Amendments of 1965, and when subsequently the Senate concurred with the House, sending the bill to the President, we had pretty well rounded out the health legislation outlined in the President's health message of January 7, 1965. It seemed to me to be particularly appropriate, I might add, that Senator HILL handled this bill for I know, from long experience of working with him in the field of health legislation in the Senate, how deeply he has been concerned during his long and distinguished career with improving the health of the American people.

Looking back to the 1940's I am gratified to say that this Congress has also moved in the direction of rounding out at least two decades of effort to improve the health of all of our people. Sometimes it has been a discouraging job—but persistence has also had its rewards. Through the years we have begun to demonstrate a growing concern for better health for our youth—which means better health for later life—and better health for our aged people; with strengthening the numbers and skills of people in our health professions; and with improvements in our medical research, particularly to help conquer particular diseases. We have had some successes in our attacks on disease. Smallpox, malaria, yellow fever, and typhus are conquered in this country. Poliomyelitis, which took 3,154 lives so recently as 1952, cost only 5 lives in 1964. Death rates for influenza have been reduced by 88 percent during the past 20 years. But there remain to be conquered what are now the most deadly killers of them all—cancer, heart disease, stroke, and their related afflictions.

I think it is important to realize that the Heart Disease, Cancer, and Stroke Amendments of 1965 represent our recognition that we must always be ready to try new approaches to hard problems, rather than a sudden awareness that these problem areas exist. They are a new form of attack which will supplement earlier efforts in the hope that, somehow, we will find the breakthrough. The new approach will seek to bring about the cooperation of medical schools, clinical research institutions, and hospitals so that the latest advances in the care of patients suffering from heart

disease, stroke, cancer, and related diseases may be made available, through planned programs of research, training, and continuing education, and related demonstrations of patient care. It recognizes that the best patient care is usually associated with research and that prompt and precise exchange and dissemination of findings among people in the health field must also be encouraged, and may be as important as work in the quiet laboratory.

I do not need to remind the Congress that this is but the most recent form of attack because, beginning back in 1937 when the National Cancer Institute was established, the Federal Government first showed its concern with this most cruel disease. It was one of the first ventures of the Federal Government into the field of health outside of the regular public health activities. And it was established at a time when the country was working its way out of a depression on the one hand, and faced with a decision as to its role in the world increasingly concerned with Hitler's Germany on the other. With our involvement in a world war in 1941, it is understandable that practically all efforts of Government were turned toward the war effort. Nevertheless I like to think that the investigations I was able to conduct at that time of the health status of our young men as revealed by selective service data first awakened the country to some of the serious health problems we faced in this country. With the cooperation of the Army and other military officials, the Subcommittee on Wartime Health and Education of the Senate's Committee on Education and Labor, manned by a very able and bipartisan group of Senators and a fine staff, found in 1945, after 2½ years of study, that of the 22 million men of military age, 40 percent could not meet the requirements of general military service. It was only a first step—an effort to find better information than we then had as to the state of health of one segment of our population—our young men who could be presumed to be among our healthiest Americans. But the country was shocked at the figures. I have always been particularly proud of the fact that President Truman, in his health message to Congress on November 19, 1945, used the findings of the so-called Pepper subcommittee in the opening paragraphs of this great message outlining a broad-scale program of postwar action.

One line of action recommended in this message will be more fully realized by the enactment of the heart, stroke, and cancer bill of 1965 when it is signed into law. For, in his postwar message 20 years ago, President Truman stressed the importance of research as one means of achieving his health goals. With reference to the particular problem with which this legislation is concerned, he said:

> Cancer is one of the leading causes of death. Though we already have the National Cancer Institute of the Public Health Service, we need still more coordinated research on the cause, prevention, and cure of this disease. We need more financial support for research and to establish special clinics and hospitals for diagnosis and treatment of the disease especially in its early stages.

In 1947, 2 years later, I introduced a bill to authorize and request the President to undertake to mobilize at some convenient place or places in the United States an adequate number of the world's outstanding experts and to coordinate and utilize their services in a supreme endeavor to discover new means of treating, curing, and preventing diseases of the heart and arteries. And in the following year we were able to bring about the establishment of the National Heart Institute under the provisions of S. 2215, which was introduced by Senators Bridges, Ives, Murray, and myself, in February 1948.

It was not the easiest legislation to enact in spite of its bipartisan support. The Budget Bureau, I recall, sent an unfavorable report. But finally it was signed into public law on June 16, 1948.

But it is not enough just to establish an institute. Two things are essential in such an undertaking: getting people of the highest professional and administrative competence to run them and providing them with adequate funds. The latter function is the particular job of the Congress and I have always believed I had as great an obligation to see that, to the extent of my ability and effort, these funds were forthcoming.

Satisfied with the high quality of people brought in to establish the new Heart Institute and with the caliber of the people administering the National Cancer Institute, I set for myself the task of helping to provide adequate funds for them. It, too, was not always easy. In 1948, for example, I had hoped for an appropriation of $6,740,000 for the Heart Institute in the Second Deficiency Appropriations Act—H.R. 6935. The House Report—No. 2348—on June 15, called for no appropriation whatsoever. The Senate report on June 18 was a little better in calling for $1 million. The conference split the difference to provide a meager $500,000 and this was the amount enacted into law by Public Law 785 on June 25, 1948.

In connection with the appropriations for the following fiscal year—H.R. 5728—things went a little better. I had expressed the hope that we should spend $3,300,000 on heart research. The Senate and the House agreed on the somewhat lower figure of $2,282,000 and this amount was authorized. As to research on cancer my request for at least $14 million for the upcoming year was accepted by both the House and the Senate and enacted into law.

And so it went each year—a little chipped off, but a little more money.

Today, support for these activities by the American people, from these small beginnings, is revealed by the fact that total expenditures for the National Cancer Institute in fiscal 1964 were some $70,692,000 largely for research, fellowships, and training and direct operation, and an even larger amount of $117,404,000 for the same year—and for the same purposes—went for the National Heart Institute.

The Heart Disease, Cancer, and Stroke Amendments of 1965 will draw upon the experience gained in these programs—upon the knowledge gained not only in the direction of promising avenues of future research but, equally important, upon the knowledge gained of what had seemed hopeful but now seem to be fruitless avenues of exploration.

As I have said, the Heart Disease, Cancer, and Stroke Amendments of 1965 represent a new auxiliary attack on these diseases which threaten so many Americans and have so stubbornly resisted the detection of the final answer we have been able to find in other areas of disease.

The President has pointed out that 48 million people now living will become victims of cancer, and that heart disease and strokes will continue to account for more than half of the deaths in the United States each year unless we can master these scourges. The new proposal rests on the recent recommendations of the DeBakey Commission. This report emphasizes the point that we have reached the time when findings do not call exclusively for a one-man show directed from Washington, but also for a cooperative national effort in the field involving health leaders, voluntary organizations, and State and local governments as well as health agencies. As a veteran of the war on disease, I am happy and proud to have had a part in the development of this legislation. Like earlier health legislation, it is not all I had hoped for. But it has been enacted by the Congress—and the beginning to a breakthrough, we can all hope and trust, has been made.

IMMIGRATION ACT

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentlewoman from Hawaii [Mrs. MINK] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mrs. MINK. Mr. Speaker, with the Statue of Liberty holding high her torch nearby, President Johnson on October 3, 1965, signed the new Immigration Act, one of the most important acts of this Congress and the administration.

When recommending this legislation earlier in the year, the President urged the Congress to return the United States to an immigration policy which serves the national interest and continues our traditional ideals. He stated:

> No move could more effectively reaffirm our fundamental belief that a man is to be judged—and judged exclusively—on his worth as a human being.

In responding favorably to the President's request Congress has enacted a law which abolishes the discriminatory

national origins system of allocating immigrant visas on the basis of an individual's place of birth and substitutes a sensible, fair, humane and nondiscriminatory system, available on a first-come, first-served basis.

Under the new system meaning and significance is given to preferences in the issuance of immigrant visas to persons having close family relationships to citizens and lawfully resident aliens. Under the system as it existed prior to the enactment of the administration's legislation the preferences accorded to close family members of citizens or lawfully resident aliens were largely ineffective because such preferences operated only within each separate quota area and thus meant little if anything to immigrants from low-quota countries. Under the new law all countries are afforded their fair share of the quota. The needless and prolonged separation of family members is thus avoided, particularly with respect to relatives who do not qualify for exemption from numerical quota limitations.

It was possible under the old system for an American citizen to bring to this country without appreciable delay a total stranger, from a high-quota country, for employment as a domestic, while at the same time the operations of the system could require years of waiting before he could bring in an aging parent who was a native of a low-quota country. Under the new law parents of citizens will not be subject to any numerical quota limitation.

The new immigration law also will serve to prevent the separation of families occasioned by the absolute prohibition in the old law with respect to the admission of aliens who are mentally retarded or who had a past history of mental illness. The old law did not take into account the medical advances which have been made in the treatment of mental illnesses. As a result there were many cases where close relatives of citizens or lawfully resident aliens were prevented from joining their families in this country even though they had been cured of their illnesses or such illnesses were medically controllable. The new law changed this heartless, cruel policy.

One especially worthwhile reform in the new law is the repeal of the so-called Asia-Pacific triangle provision. This provision defined a geographical area in the Far East which included practically the entire continent of Asia, and any immigrant with as much as one-half of his ancestry from this area was treated differently. All other immigrants were charged to the quotas of the countries where they were born, but a man born in England who lived in England all his life and never had left England would be counted as Asiatic if two of his four grandparents had come from Asia. The great majority of Asian countries had the minimum annual quota of 100, because they had relatively few inhabitants in the United States in 1920 who traced their origin to that part of the world. These token quotas had long waiting lists, and as a result the Englishmen would be kept out for many years because of his grandparents, while other Englishmen entered freely.

The hardships which ensued are also illustrated by the following example: A family consisted of a white father born in Argentina, his wife who was half Japanese, and their infant child, all born in Argentina. Although the father and the child were entitled to enter as natives of an independent Western Hemisphere country, the wife had to be charged to the oversubscribed quota for Japan. This would normally prevent the family from emigrating, but in some cases it caused a separation of the family. This type of discrimination is now ended, and the whole family will be treated as Argentinians.

The elimination of the discriminatory treatment of the Asia-Pacific triangle is but one of the more dramatic accomplishments of the new act. It will serve in many ways to fill urgent needs in terms of simple humanity, in terms of our self-interest at home, and in terms of our self-interest abroad.

For two decades we have operated our immigration laws under the warped standards of the national origins quota system. The time had long since passed for their replacement. The new standards which the Congress and the President have fashioned for the Nation are fair and carry out our ideals of fairness and democracy. They will serve us well.

HAWAIIAN SUGAR HISTORY

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentlewoman from Hawaii [Mrs. MINK] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mrs. MINK. Mr. Speaker, this week the House of Representatives will be considering H.R. 11135, the Sugar Act Amendments of 1965. In order to inform my colleagues of this House of the importance of sugar to my State of Hawaii I would like to present the following brief history.

Hawaii's sugar industry has been one of the great success stories of our Nation, to the point where not only is sugar the largest industry of our islands, but Hawaii is the major sugar producing State of the Nation.

Hawaii's eight principal islands comprise 6,423 square miles, slightly larger than Connecticut and Rhode Island combined. Only about one-twelfth of this area is suitable for agriculture, and only four of the islands produce sugarcane.

Even now, some 231,000 acres comprise the total cane-land area. Yet that area is so productive, and the application of scientific agriculture is so intense, that slightly more than 100,000 acres of cane harvested each year now provide more than 10 million tons of cane and more than 1,100,000 tons of sugar. These are record high yields for the sugar-growing areas of the world.

Hawaiian production represents roughly 2 percent of world production and more than one-tenth of U.S. consumption. About $200 million of capital has been invested in this major industry of the islands since World War II, and returns to the economy in 1963 were about $188 million. The annual payroll, going to about 13,000 year-around employees, is in excess of $60 million. Applied scientific technology, mechanization, high yields per acre, and exceptional pay per hour for labor are characteristics which make the Hawaiian sugar industry outstanding in comparison with mainland production or with that of other countries in the world.

Sugarcane is an old, old story in Hawaii. Apparently it was brought to these islands either at the time of original settlement, perhaps as early as A.D. 500, or during the period down to about A.D. 1300 when voyages to and from Tahiti were thought to have continued. Botanists hold that it was 1 of 25 plants introduced in ancient times.

When Captain Cook discovered the islands in 1778 he noted "several plantations of sugarcane" growing on high ground. However, no sugar was made from the cane. It apparently was used as a kind of hedge around garden patches, and pieces were broken off and chewed for their sweet sap.

It has been said that all beginnings are difficult. This certainly was true for sugar production in Hawaii. During the first quarter of the 19th century, references to sugar production in the islands were fleeting. There was some experimentation in 1802 by Chinese, who tried to produce sugar on the island of Lanai with a crude granite roller and a few boiling pans. Lanai even today is not productive of sugar.

A few individual attempts to manufacture sugar were noted including that of an Italian resident, who in 1823 made sugar by pounding cane with stone beaters on the boards used by Hawaiians for making poi and then boiling the juice down to crystals.

It took severe tests and several failures before sugar was firmly established in the second quarter of the century, and great labor and infinite ingenuity to establish and extend the first cane plantations.

In 1825, John Wilkinson, an Englishman, set out a small cane plantation. Although he was dead by 1827, the juice of his first cane crop was converted to rum—at which the royal government ordered that the plantation's still be broken, its cane plowed under, and the land planted to sweet potatoes.

Three young New Englanders incorporated themselves as Ladd & Co. in 1835 and set out to produce sugar on 980 acres of land they leased from the Hawaiian king for 50 years at $300 a year. They went bankrupt, although about a third of their tract has since proved to be good cane land. Their plantation, Koloa on the island of Kauai, proved to be Hawaii's first permanent plantation. It exported 4,286 pounds of sugar and 2,700 gallons of molasses in 1837 and was finally

merged with another plantation. Truly, the adventure of producing sugar in Hawaii in those days was not for the fainthearted.

There was perseverance, however. By 1838, there were 20 small sugar mills in operation in the islands, of which 18 were animal powered and two were waterpowered. During the California gold rush, sugar prices rose to as much as 20 cents a pound, and Hawaii, in 1851, exported 162 tons of sugar.

From this small beginning, the development of Hawaii's sugar industry was rapid during the third quarter of the 19th century. Even then, mechanical improvements through the use of modern technology were a major factor.

The first sugar centrifugal, perhaps the most significant invention in the history of the sugar industry, was introduced; it separated sugar crystals from molasses by its whirling action. The first steam engine was installed in 1853 and the first steam mill in 1857. Exports climbed to 913 tons in 1859, then declined to 722 tons in the next year.

But the introduction of the vacuum pan in 1863, together with the stimulus provided by the vast Civil War market in the United States, resulted in exports of 8,869 tons in 1866. Thereafter, production trended sharply upward, except for a few drought years.

The fascination of the establishment of this new enterprise attracted a wide diversity of pioneers. Among them were young New Englanders, the sons of early missionaries to Hawaii, American sea captains, the son of a president of Norway, Irishmen, Englishmen, and Germans. They included bookkeepers and bankers as well as others with agricultural backgrounds.

As the need for labor grew in the burgeoning industry, 300 Chinese arrived from Hong Kong in 1852, to be followed by 500 more in 1865. This was the start of a long line of immigrants to the islands, called to work in the sugar fields and mills.

It is estimated that 46,000 Chinese migrated to Hawaii between 1864 and 1900, of whom 8,000 came from the mainland United States rather than directly from China. More than half came unassisted, and slightly more than half of them returned home after fulfilling their contracts. The others tended to congregate in Hawaii's urban areas, and it was estimated that 14,000 of the 20,000 Chinese in Hawaii in 1886 were in Honolulu, either in trade or raising truck vegetables in small farms just outside the city proper.

Japanese migration began in 1868, when the Hawaiian consul in Japan arranged for 148 laborers to come to Hawaii. It was 20 years before others followed them, however.

Rapid expansion of Hawaiian sugar production continued through the final quarter of the 19th century. After unsuccessful attempts in 1848 and 1852, the Hawaiian Government succeeded in negotiating a reciprocity treaty with the United States in 1876. That trade agreemen admitted sugar duty free to the American consumer market.

Subsequently, land for sugar cane was substantially increased by the use of irrigation on four of the islands; and the irrigation also increased the reliable productivity of the land on which it was used.

The first and most famous irrigation project in Hawaii was the Hamakua Ditch, which was 17 miles long and capable of moving 40 million gallons of water a day. It was built by Alexander and Baldwin, sons of early American missionaries, at a cost of $80,000, to tap the rainfall of nearby mountains to water their then barren plantation in the hot but dry lowland plain of central Maui.

This success prompted the California capitalist Spreckels to build another ditch on Maui, this one 30 miles long and capable of delivering 50 million gallons of water daily.

Subsequent irrigation projects involved great tunnels through mountains, miles and miles of pipes, inverted siphons, large reservoirs, and even portable ditches. Water from wells for irrigation started in 1879, when the first artesian well was put down. Eventually, hundreds of pump and well combinations dotted the drier cane areas of the islands, providing hundreds of millions of gallons of water daily.

The efforts to irrigate also spotlight the growing importance of the use of science to increase productivity. The irrigated lands were assured of reliable growth conditions for a large segment of the acreage growing cane. Breeding work resulted in new cane varieties which yielded higher tonnage per acre and juice with a greater sugar content than the original varieties. Chemists were employed by the industry. Commercial fertilizers were introduced. As a result, the first 100,000-ton sugar crop was produced in 1886, to be followed by the first 250,000-ton crop only 11 years later.

Meanwhile, the sugar industry's labor needs continued to feed the famous Hawaiian melting pot. Portuguese immigrant families had arrived in 1878, mostly from the island and Madeira. German immigrants followed them in 1881. After formal arrangements were made between the governments in 1885, the major Japanese immigration began in earnest. By 1907, more than 180,000 Japanese had come to Hawaii to work, of whom about 126,000 had left to return home. By 1913, the number of Portuguese immigrants had swelled to 20,000 men, women, and children, with the majority of them again coming from Portugal's island provinces.

CHART I–A.—*Cane sugar production in Hawaii, 1908–63*

Production year (beginning Oct. 1, ending Sept. 30)	Tons sugar per acre	Tons cane per ton sugar	Total cane land area	Cane used for sugar			Sugar produced		Raw value 96° sugar made per short tons of cane	Recovery of equivalent refined sugar from cane ground
				Acreage harvested	Average yield per acre	Production	Converted to 96° raw value	Equivalent refined		
			Acres	*Acres*	*Short tons*	*Short tons*	*Short tons*	*Short tons*	*Pounds*	*Percent*
1908–09	5.14	7.42	201,641	106,127	38.2	4,050,000	545,738	510,048	270	12.59
1909–10	4.81	7.78	209,469	110,247	37.4	4,122,000	529,940	495,282	257	12.02
1910–11	5.16	7.94	214,312	112,796	41.0	4,623,000	582,196	544,120	252	11.77
1911–12	5.34	7.75	216,345	113,866	41.4	4,711,000	607,863	568,109	258	12.06
1912–13	4.90	7.99	215,741	113,548	39.1	4,445,000	556,654	520,249	250	11.70
1913–14	5.54	8.01	217,470	112,700	44.4	5,000,000	624,165	583,345	250	11.67
1914–15	5.75	7.96	239,800	113,164	45.8	5,184,393	650,970	608,397	251	11.74
1915–16	5.17	8.14	246,332	115,419	42.1	4,859,424	596,703	557,679	246	11.48
1916–17	5.57	7.98	247,476	117,468	44.4	5,220,000	654,388	611,591	251	11.72
1917–18	4.86	8.34	246,813	119,785	40.5	4,855,804	582,192	544,117	240	11.21
1918–19	5.07	7.81	239,844	119,679	39.6	4,744,070	607,174	567,465	256	11.96
1919–20	4.91	7.98	247,838	114,105	39.2	4,473,498	560,379	523,379	251	11.71
1920–21	4.83	8.53	236,510	113,056	41.2	4,657,222	546,273	510,547	235	10.96
1921–22	4.98	8.23	228,519	124,124	41.0	5,088,062	618,457	578,010	243	11.36
1922–23	4.85	8.23	235,134	114,182	39.9	4,559,819	554,199	517,954	243	11.36
1923–24	6.42	7.91	231,862	111,581	50.7	5,661,000	715,918	669,097	253	11.82
1924–25	6.47	8.06	240,597	120,632	52.2	6,297,000	781,000	730,000	248	11.59
1925–26	6.58	8.07	237,774	122,309	53.1	6,495,686	804,644	752,020	248	11.58
1926–27	6.68	8.41	234,809	124,542	56.1	6,992,082	831,648	777,258	238	11.12
1927–28	7.00	8.37	240,769	131,534	58.6	7,707,330	920,887	860,661	239	11.17
1928–29	7.16	8.05	239,858	129,131	57.7	7,447,494	925,140	864,636	248	11.61
1929–30	7.02	8.36	242,761	133,840	58.7	7,853,439	939,287	877,858	239	11.18
1930–31	7.43	8.33	251,533	137,037	61.9	8,485,183	1,018,047	951,467	240	11.21
1931–32	7.57	8.38	251,876	139,744	63.4	8,865,323	1,057,303	988,155	239	11.15
1932–33	7.34	8.05	254,563	144,959	59.1	8,566,781	1,063,605	994,045	248	11.60
1933 (Oct. 1 to Dec. 31)							127,317	118,990		

CHART I–B.—*Cane sugar production in Hawaii, 1908–63*

Production year (beginning Jan. 1)	Tons sugar per acre	Tons cane per ton sugar	Total cane land area	Cane used for sugar			Sugar produced		Raw value 96° sugar made per short tons of cane	Recovery of equivalent refined sugar from cane ground
				Acreage harvested	Average yield per acre	Production	Converted to 96° raw value	Equivalent refined		
			Acres	*Acres*	*Short tons*	*Short tons*	*Short tons*	*Short tons*	*Pounds*	*Percent*
1934	7.14	8.33	252,237	134,318	59.5	7,992,260	959,337	896,596	240	11.22
1935	7.82	8.67	246,491	126,116	67.8	8,555,424	986,849	922,309	231	10.78
1936	7.97	8.80	245,891	130,828	70.1	9,170,279	1,042,316	974,149	227	10.62
1937	7.46	9.32	240,833	126,671	69.5	8,802,716	944,382	882,619	215	10.03
1938	6.92	9.39	238,302	135,978	65.0	8,835,370	941,293	879,732	213	9.96
1939	7.18	8.66	235,227	138,440	62.2	8,609,543	994,173	929,154	231	10.79
1940	7.16	8.76	235,110	136,417	62.7	8,557,216	976,677	912,802	228	10.60
1941	7.24	9.04	238,111	130,768	65.5	8,559,797	947,190	885,244	221	10.34
1942	7.58	9.10	225,199	114,745	69.0	7,918,342	870,099	813,195	220	10.27
1943	7.79	9.24	220,928	113,754	71.9	8,185,400	885,640	827,719	216	10.11
1944	7.99	8.95	216,072	109,522	71.5	7,832,185	874,947	817,725	223	10.44
1945	7.96	8.98	211,331	103,173	71.4	7,371,158	821,216	767,509	223	10.41
1946	8.06	8.83	208,376	84,379	71.1	6,002,127	680,073	635,596	227	10.59
1947	7.72	9.11	211,624	113,020	70.3	7,942,216	872,187	815,146	220	10.26
1948	8.35	9.03	206,550	100,042	75.4	7,542,613	835,107	780,491	221	10.35
1949	8.76	8.44	213,354	108,794	73.9	8,045,941	955,890	893,375	238	11.10
1950	8.78	8.51	220,383	109,405	74.7	8,174,821	960,961	898,114	235	10.99
1951	9.09	8.51	221,212	109,494	77.4	8,477,201	995,759	930,636	235	10.98
1952	9.44	8.52	221,990	108,089	80.4	8,693,920	1,020,450	953,712	235	10.97
1953	10.15	8.19	221,542	108,337	83.1	9,003,967	1,099,316	1,027,421	244	11.41
1954	10.02	8.75	220,138	107,480	87.75	9,431,781	1,077,347	1,006,889	228	10.68
1955	10.74	8.66	218,819	106,180	92.94	9,867,978	1,140,112	1,065,525	231	10.79
1956	10.28	9.01	220,606	106,956	92.65	9,909,990	1,099,543	1,027,633	222	10.37
1957	10.16	8.71	221,336	106,742	88.51	9,447,647	1,084,646	1,013,710	230	10.73
1958	9.09	9.87	221,683	84,136	89.77	7,552,750	764,953	714,925	203	9.47
1959	8.83	9.66	222,588	110,371	85.31	9,416,225	974,632	910,891	207	9.67
1960	9.03	9.20	224,617	103,584	83.15	8,613,317	935,744	874,546	217	10.86
1961	10.09	8.78	227,027	108,320	88.58	9,595,342	1,092,481	1,021,033	228	11.39
1962	10.31	8.78	228,926	108,600	90.36	9,812,580	1,120,011	1,046,762	228	11.41
1963	10.25	9.12	231,321	107,436	93.39	10,033,969	1,100,768	1,028,777	219	10.97

In the 20th century, the history of Hawaii's sugar industry has continued along the lines set down for it earlier.

Use of the most modern technology has continued the upward trend of production, and two World Wars have provided both stimulus and some dislocations. Since 1937 because sugar prices had fluctuated widely, new legislation to meet this problem became necessary.

The discovery of new and improved techniques brought more land, previously considered worthless, under cultivation after the turn of the century. Once again, the call for labor went out, and in 1906 the last influx, that of Filipino labor, commenced. By 1910 there were 2,361 Filipinos in Hawaii, the total rising to 66,049 in 1931, when Filipino men comprised the bulk of plantation labor. Their recruitment was carefully planned. Pay and living conditions were publicized. Immigrants had to pay their own way over, although they were promised their passage home after 720 days of work within a 3-year period.

The pattern of development in the islands has been such as to develop large units that could respond to long-range planning and operations utilizing modern technology. As sugar boomed after the 1879 Reciprocity Treaty, the farmers turned to Honolulu merchants for financial and other help, resulting finally in a present day network of 26 separate sugar plantation companies, plus about 1,200 independent cane planters.

CHART II.—*Sugarcane acreage, acreage harvested, production, average number of adult hourly rated employees, and total man-days of all hourly rated employees on Hawaiian sugar plantations*

	1940	1945	1950	1955	1960	1963
Acreage	235,110	211,331	220,383	218,819	224,617	228,926
Acreage harvested	136,417	103,174	109,405	106,180	103,584	107,436
Production, 96° tons	976,677	821,216	960,961	1,140,112	935,744	1,100,768
Adult hourly rated employees	35,062	20,806	20,258	16,773	12,111	10,722
Total man-days, hourly rated employees	8,870,704	6,350,489	5,069,682	3,896,761	2,917,459	2,582,706

Technical progress continues to be the keynote to improved production. As a result, in the 1960's Hawaii has produced bigger yields on smaller acreages than anywhere else in the world.

The harvest sugar acreage in Hawaii reached an average yield of nearly 95 tons of cane an acre in 1964. Because cane is a 2-year crop in Hawaii, halving this gives a comparison of 42.5 tons per acre with the 29-ton average in Louisiana, the 32-ton yield for Florida, and the 33-ton yield for Puerto Rico.

One of the newer technical developments is the use of overhead irrigation, which is adaptable to areas not easily irrigated by earlier methods and which apparently requires only one-fourth as much water as would be used with ditch irrigation. This has led to the use of some additional land for sugarcane.

In addition, replanting with improved cane varieties continues, and new and improved loading machinery, unloading equipment, boilers, and other machinery are being installed. And, new tests are being conducted on techniques of loading, cutting seed, utilizing bagasse—sugarcane waste—and mill processing.

The continuing importance of technological advances is of major importance in the light of tight limitations on land resources. From a high of 254,000 acres in 1932–33, sugarcane acreage in Hawaii declined to less than 207,000 in 1948 before rising again to more than 231,000 acres in 1963. It is believed that only about 250,000 acres throughout the State can ever be used profitably for sugarcane production, in the light of present sugar prices.

Growing hand in hand with modern plantation technology has been a program of industrial relations and cooperation with labor organizations that has seen Hawaii's sugar workers become the highest paid in any sugar-growing area. Hawaii's sugar plantation and millworkers are represented by the International Longshoremen's and Warehousemen's Union.

The Hawaii plantation worker is employed the year around. He produces more and gets paid more. His hourly earnings are from one-third to three times higher than fieldworkers' earnings in other sugar-producing areas of America, and vastly above those of foreign sugar-producing areas. In addition, there are fringe benefits of medical care, paid vacations and holidays, insurance, and pensions.

In 1963, the average daily wage of nonsupervisory employees in the Hawaii sugar industry was $16.68, with fringe benefits valued at another $5 a day. This $21.68 total in 1963 rose to an estimated $24.10 a day in 1965.

A recent 1-year collective bargaining contract covering employees of 25 plantations provided for wage increases of 7 cents an hour, starting February 1, 1965; an additional paid holiday on the day before New Year's; and extension of the industry's dental health insurance plan for children of employees.

It is estimated by the U.S. Department of Agriculture that average hourly cash earnings of fieldworkers in Hawaii's sugar industry was $2.22 in 1964, compared to $1.29 for beet area workers, and that in 1965 Hawaii's cane fieldworkers

will be earning $2.30 an hour, compared to $1.35 for beet workers.

Meanwhile, the sugar shortages of 1962–63 have developed marketing problems for Hawaii's sugar industry. Surplus supplies became troublesome for western sugarbeet growers who had expanded production from 2,213,000 tons in 1957 to 3,110,000 tons in 1963 as the result of lifting or acreage restrictions. Much of this must be marketed in the same western areas of the United States in which Hawaii's cane sugar is sold. At the same time, the price of sugar has dropped from its scarcity highs to a more normal level.

The agreement among sugar industry segments on recommended legislation would appear to solve these problems in a manner satisfactory to Hawaii's cane producers as well as to the sugarbeet growers of the Western States.

In addition, it is indicated that Hawaiian cane growers will continue to depend, as they have in the past, on efficient utilization of the latest and best in technology. Fully 25 varieties of specially bred cane occupy important acreages in Hawaii. Applied science continues to be related to fertilization, irrigation, and insect and disease control.

Management engineers continue to apply themselves to new and more efficient methods of producing, harvesting, transporting, and milling cane. Major savings have been realized in bulk sugar unloading costs.

The 1964 sugar crop of 1,178,770 tons set a new record high, breaking the record of 1,140,112 tons established in 1955. It produced the highest amount of sugar production per acre in the world, with its 10.64 tons per acre, just one-tenth of a ton lower than the record figure of 10.74 tons set in 1955. Cane land in production reached a post-World War II high of 233,145 acres, while total acres harvested amounted to 110,759 acres.

Because of the drop in sugar prices, receipts are estimated at about $157 million, which is equal to 1962 but well below the $188 million recorded in 1963.

So it is that Hawaii's sugar industry maintains its position as one of the most important in the world in the face of the constant fluctuation of price, competitive position, and international relations with which it has had to contend since its inception.

We in Hawaii proudly look forward to continuation of this success story far into the future, with advantageous results to the State and its citizens as well as to the entire Nation.

RECORDS OF THE STATES OF THE UNITED STATES: A MICROFILM COMPILATION

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. KORNEGAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. KORNEGAY. Mr. Speaker, I should like to include in the RECORD at this point a report which appeared in the UNESCO Bulletin for Libraries, March–April 1965, which was prepared by Dr. William Sumner Jenkins, director, Bureau of Public Records Collection and Research, the University of North Carolina, and Frederic Kirk, research assistant.

The University of North Carolina is located at Chapel Hill, which lies in my congressional district. In the early days of the national depression of the thirties, Dr. Jenkins conceived an idea that culminated in 1956 in the establishment of the Bureau of Public Records Collection and Research. I have the honor to serve as a member of the advisory board and as a member of the company of associates of the bureau and have been familiar with the objectives and work of the bureau for some time.

As a result of a study of the amending process of the Constitution of the United States, it was discovered that significant gaps existed in the few comprehensive central collections of printed documents pertaining to the study. In 1941, the Library of Congress and the University of North Carolina undertook to make a microfilm compilation of the official records of the States of the United States which would reveal the organic growth of American institutions of democracy, and it was this joint effort and project which resulted in the establishment of the bureau at the University of North Carolina, with Dr. Jenkins as director.

In addition to the microfilm collection of official records of the States, Dr. Jenkins has extended this process of compilation to many countries of the globe with signal success.

Since the Library of Congress cooperated in the early days of this important project, I am sure the Members of Congress will be very much interested in Dr. Jenkins' report. We are all due him an immense debt of gratitude for assembling these legislative, statutory, and constitutional records of our own country and for extending the pattern in other countries of the world. The preservation of these records by microfilm will afford present and future scholars rich investigative material which might otherwise be lost or unavailable for consultation. Dr. Jenkins has not only served the cause of historical scholarship well; he has also preserved the materials through which countries can envisage and understand the historical foundations of other countries, and through which, to paraphrase his words, mankind can understand and help mankind.

The report follows:

RECORDS OF THE STATES OF THE UNITED STATES: A MICROFILM COMPILATION

(By William S. Jenkins, Director, Bureau of Public Records Collection and Research, at the University of North Carolina, and Frederic Kirk, Research Assistant)

The Bureau of Public Records Collection and Research at the University of North Carolina was established in 1956 to provide an agency for both the scholarly utilization of the microfilm compilation of American early State records and the stimulation of like projects in other countries of the world. As such, the establishment of the bureau marked the culmination of the State records microfilm project, a joint enterprise of the Library of Congress and the University of North Carolina, during the years 1941–51, to compile serially on microfilm the official public records of each of the American States. At the same time it marked a start in projecting the idea of such a systematic compilation into other countries of the world. In that "Records of the States of the United States," in conjunction with the "Guide to the Microfilm Collection of Early State Records" (1950) and its supplement (1951), had for the first time opened up in a comprehensive manner the primary sources of American documentation and made them readily available to scholars everywhere, it was our belief that if like programs were carried through in other countries of the world it would be possible to assemble on microfilm a world resource of documentation which would be as readily available to the world of scholarship for investigation as are the "Records of the States of the United States."

The genesis of the idea of creating a microfilm compilation of American public documentation goes back to the early 1930's when a study of the amending process of the Constitution of the United States (art. V) was undertaken. In order to carry through such a study it was necessary to find and examine complete files of the proceedings of the legislatures of each of the States from 1788 down to 1938 because the few comprehensive central collections of printed documents contained very significant gaps. Such a search entailed travel to the State capitals, paging through the session laws and legislative journals and transcribing the pertinent documents on to note cards. The expense, time, and tedium involved in this operation provoked a practical reaction—the improvisation of a portable copying stand mounted with a small camera. This crude apparatus provided an effective and marked acceleration in research procedure.

By 1940, at which time the electronic copying camera had been perfected, the Library of Congress and many other document repositories had become alarmed at the existence of serious lacunae in their holdings and interested in the possibilities of completing their files through the medium of microfilming. Already complete finding lists of documents from each State had been compiled and checked through the holdings of the major libraries and repositories. Thus, through a concatenation of events, the State records microfilm project was launched in 1941. Although the original purpose of the State records microfilm project was primarily to serve the interest of the joint sponsors in making good their deficiencies, it was implicit in the conception itself that in the course of time there would emerge a great national microfilm collection of official resources, gathered in from all parts of the country, for the reciprocal benefit of all.

The success of the State records microfilm project, which was perhaps the pioneer project in what has been called itinerant microphotography, was due primarily to the cooperative spirit that exists amongst scholars, a spirit which grew with the knowledge that from the general pool of master negative films being assembled positive prints would be made available to meet the needs of contributors to the program. The assurance of this element of reciprocity in many instances overcame an initial reluctance of some curators to "devalue" their treasures by permitting photographic facsimiles to be made of unique and rare items. Indeed, our continuing quest for rarities and missing numbers known to have been published and the constant lookout for others hitherto unreported, which may have been issued, were essential to the development of our fieldwork procedures. The result of our nationwide inventory and search

was the locating of many displaced and unrecorded items of a fugitive or ephemeral nature which in aggregate formed a rich and extensive addition of source information. To achieve this result, by 1948 we had traveled over 100,000 miles, into every State of the Union, visiting official and private document repositories and collections and had photographed in them our desiderata. With the collection phase of operations nearing completion, in September 1948 we returned to the Library of Congress to begin the task of arranging the collected materials for editing and subpublication of "Records of the States of the United States" as a serial set.

This second stage of the project required an expanded staff and the setting up of a workshop. The editing of the films themselves involved several steps. First the miscellaneous mass of rough film photographed en route wherever found had to be read in order to ascertain any technical defects that would require remakes; these in the event turned out to be few in number. At the same time the film had to be read to note the imperfections existing in the original items copied and to ascertain missing numbers and serial gaps yet to be filled. These deficiencies in the rough film were corrected by return visits to many of the depositories for retakes and, during the concluding period of editing, by borrowing volumes and finally by securing photostatic copies of particular pages. This secondary film was then spliced into the original reels to perfect and serially complete copy, a process which required the greatest precision in the mechanics of cutting the film and splicing it into a rebuilt whole.

Parallel with the reading, a stock inventory was taken from the field record books in which had been kept a running account of the microfilming. Each roll of film had been serially numbered and the titles and pagination of each item entered for editorial collation. This latter task was facilitated by entering marginally in the field record a series of symbols identifying the variable nature of materials included in each roll and these marginal entries in turn guided the editors to the rolls containing pertinent takeoff frames. The size of this task is indicated by the fact that it required over 32,000 splices to recast the rough film into the completed serial set.

The system of symbols also formed the basis of the overall framework of arrangement into content classes:

A. Legislative records.
B. Statutory laws: B.1, codes and compilations; B.2, session laws; B.3, special laws; B.4, miscellany.
C. Constitutional records.
D. Administrative records.
E. Executive records.
F. Court records.

To these six regular classes were added five special classes organized from a residue of items:

L. Local records.
M. Indian records.
N. Newspapers.
R. Rudimentary states and courts.
X. Miscellany.

This arrangement was in the nature of a looseleaf notebook permitting period extensions of the separate classes and the addition of collateral parts as need should arise. Although time and money precluded the completion of the serial set in D, E, and F (where large gaps yet remain) it is believed that classes A, B, and C do in fact contain the large body of all items known to be extant down to the period of the American Civil War and together form a microfilm foundation on which individual superstructures can be built according to special need.

A foundation of legislative, statutory and constitutional records of the kind just described will, it is considerd, be the sine qua non for compiling similar national microfilm collections of public records. As the pattern is carried through in other countries a resource will be formed from which comparative studies can be made of the elements of constitutionalism, of the workings of the legislative process, of the substance of legislation, and of legislative rules, procedures and customs. To provide for the intelligent and effective needs for such a comprehensive resource, the journal and debate record of legislative bodies must be supplemented by files of legislative bills and other proposals, as well as the reports of committees whenever existing in separate form and by annual reports and documents submitted by the executive branch of government. The assembly of such filed papers under class A.6., "Legislative papers," is essential in any consideration of democratic processes and the principles of representative government.

A word should be added at this point to explain the internal arrangement of the individual completed reels which are arranged alphabetically by State. The first frame of the leader of each individual reel carries the identification of the State, the class, the part of the class and the inclusive dates of the material contained. This first frame, like the call number on the spine of a book, permits the user ready access to the particular materials desired. The leader also contains the editor's comprehensive introduction to the class of materials included in that reel; the introduction, besides describing the general research character of the materials contained in the class, also gives pointers to possible research uses. And, at the end of the leader, a variable number of frames serves as a table of contents of the sundry titles appearing on the reel. For the convenience of the searcher this table of contents is divided into units denoted by reversed black and white flash signs in large Roman numerals whereby the searcher may speedily turn to the particular entries of desiderata for his purpose.

The guides serve as a key to "Records of the States of the United States" and, incidentally, as a catalog for both ordering positive copies, the master negative of which is held by the Library of Congress, and borrowing reels through the Inter-Library Loan Service. The guides cumulate the tables of contents of the separate reels comprising the set. But the guides are more than simply the key to the set, for they also contain bibliographical data: to each item listed is attached a holder's symbol and the holders' symbols are codified by a key to location of symbols. The rarity of the original title is indicated by a dash and a figure (—1) following the symbol. Wanting titles are also shown by the letter W in brackets [W]. In the aggregate, the encoding formula comprises for the investigator a control apparatus over the entire body of documentation, and enables the retrospective completion of files and the prospective retrieval of information through the methods of automation.

"Records of the States of the United States" is composed of 1,765 reels of microfilm which, if extended, would reach over 32 miles. The films can be serviced in armchair fashion in a small research room of 8 by 10 feet. Such concentration is for the researcher a conquest over time and space, lifting to fingertip availability the record of the American heritage. This record, reflecting the organic growth of America's institutions of government, offers a dual avenue of approach for the scholars to track and trace themes of investigation—vertically through time in each State jurisdiction and horizontally through space in comparative studies between the States at each period of the country's development. To choose an illustration of this facility, let us select Massachusetts, B.1, reel 1, unit 6, and we have before us the first printed lawbook in America, "Massachusetts' Body of Liberties" (1648), held by the Henry E. Huntington Library in San Marino, Calif. And within the time it takes to change a reel we shall have crossed the continent and the Atlantic Ocean to HM Public Record Office in London where we shall be reading South Carolina, A.1, reel 3, unit 2, the "Journal of the Commons House of Assembly, July 1728," the original of which has disappeared on the American side of the Atlantic. Without exaggeration such a juxtapositioning of documentary material and bibliographical indexing may be called a system of mechanized bibliography.

The nexus between the State records microfilm project, completed in 1950, and the bureau, established in 1956, was an "errata and addenda" program. During this program two purposes were served, first, to determine what new materials had come to light in order to ascertain the [W] titles and, secondly, to determine to what extent and in what ways institutions were making use of "Records of the States of the United States."

We were gratified to discover not only the extensive use of "Records of the States of the United States" in historical, legal and constitutional research, but also its practical application in the preparation of bibliographies of basic source materials, for instance, the revision and continuation of Evans' "The American Bibliography," and in the preparation of legal briefs presented in some of the most significant cases heard before the Supreme Court in recent years. Furthermore, "Records of the States of the United States" contains a large reservoir of basic documentation from which, for instance, the editors of the "Territorial Papers of the United States" and the "Documentary History of the Ratification of the Constitution and the First 10 Amendments," now in preparation for the press, have drawn directly to effect a vast saving in both time and cost. It was this positive assurance of the numerous uses to which "Records of the States of the United States" was being put in the United States that led us to believe, after the establishment of the bureau, that its pattern of collection and research, if projected, would be of worth and usefulness to other countries. The bureau, therefore, entered upon a work program of new dimension, that of projecting the idea of "Records of the States of the United States" as a pattern of usefulness for countries abroad to follow and, concomitantly, to survey the present condition and utilization of public records in other countries, to the end that a general synthesis might be made of the techniques and procedures being used in public records conservation and management.

In pursuance of this expanded program, research trips were made to Canada, 1958–59; to Western Europe, 1960; to Mexico and Central America, 1961; to the Caribbean and South America, 1962; and to Africa and the Levant in 1963. The program will continue with further trips to other areas of the world as yet uncovered, and full reports will soon be published of the findings of the trips to date. Briefly it may be said at this point that the records movement is gathering momentum in many countries, indicating that governments are becoming more and more aware of the need to preserve the heritage of their peoples. Several very significant microfilm projects are underway. Perhaps most interesting is the way in which some of these can complement each other to form an encoded cross-reference resource. For instance, the tremendous work being undertaken at the Archivo Histórico Ultramarino in Lisbon to center there facsimiled copies of the records of the Portuguese overseas territories is complemented at points by the equally important work being conducted by the South African National Archives in Pretoria in drawing together on microfilm the diverse origins of the republic. A similar long-range program, vast in scale, has been proceeding for some years in the Dominion of Canada where the National Archives has

been relentless in extending its coverage by microfilm in England and France.

A contrasting situation pertains in the Latin American countries which have a common Hispanic heritage. In these countries there exist several projects to microfilm the most important documents. These programs, however, are small in scale, individualized, and not altogether proof against duplication. The mobile microfilm unit of UNESCO, in recent years, has not only directly undertaken some of these individual projects in some of the Latin American countries but has also rendered a general service by placing the master negatives in a central depository in Mexico City to form the beginnings of an area resource. The mobile microfilm unit has now transferred its operations to the Asian and Levantine countries and an area center has been set up for the films in Cairo. Another important program being carried out on similar lines is that of the University of Florida which has been copying the official gazettes of the Caribbean islands. Perhaps the most significant on-the-spot microfilming work done independently in Latin America is that which has progressed in the National Archives of Guatemala where at the sometime crossroads between West and East was gathered a wealth of source materials documenting the diplomatic relations of the countries of the world.

In conclusion, however, it must regrettably be said that the Bureau's surveys indicate that in too many places and countries much of the record has already in large part been lost forever, much is now being lost because of neglect, lack of money, and indifference on the part of the responsible custodians. Many ancient documents, some of which could alter the meaning of history, lie unattended, gathering dust in out-of-the-way corners, damp cellars and dark attics, the prey of insects and the deteriorations of climate, or just plain rot. With techniques readily available for the restitution, preservation, and exchange of documentation reflecting the history of noble heritages, it is imperative that the envisaged program be diligently pursued by the organized forces of corporate scholarship as an effort of mankind to understand and help mankind. We are confident that when the logic of microfilming is thoroughly understood and applied by archival agencies over the world our aim will be realized.

PERSONAL ANNOUNCEMENT

Mr. REDLIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. REDLIN. Mr. Speaker, on Wednesday, September 29, I was granted a leave of absence for Friday, October 1, to transact official business in my district. On the evening of Thursday, September 30, I waited for the last available transportation, but was nevertheless forced to be absent for rollcalls 342 and 343. If I had been present and voting, I would have voted "yea" on rollcall 342 and "yea" on rollcall 343, final passage of H.R. 10281, the Government Employees Salary Comparability Act.

THE 260-INCH SOLID PROPELLANT BOOSTER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from West Virginia [Mr. HECHLER] is recognized for 30 minutes.

Mr. HECHLER. Mr. Speaker, on Saturday, September 25, exactly 10 days ago, at Homestead, Fla., the largest rocket motor in the world was test fired. This was a 260-inch-diameter rocket with solid propellant. It was built for the National Aeronautics and Space Administration by the Aerojet-General Corp.

This test firing was a spectacular success. It bolstered the confidence of the American people in the future of these large solid-fueled rockets. I firmly believe that solid propellants will supplement and, in some cases, supplant liquid propellants in the future. It is true that liquid fuels have served us very well, but as we work in increasing capability for longer missions in our future space programs, we must work on nuclear propulsion and solid fuels as possibilities for such missions as landing laboratories on the Moon, for missions to Mars, and other planets. These other means of propulsion must be fully researched and developed. The solid propellants are storable for long periods, safer, and less complicated by all the valves, turbines and piping needed for liquid fuels.

HAS 3.5 MILLION POUNDS OF THRUST

Mr. Speaker, this test was supposed to develop 3.3 million pounds of thrust, but it worked out in the actual test firing, 3.5 million pounds of thrust were developed. The total burning time was to have been 124 seconds. Yet because of the building up of a larger thrust, the total recorded burning time was only 112 seconds. This is the half-length motor. The Committee on Science and Astronautics has authorized, and Congress has appropriated, an additional $6.2 million above the President's budget to carry forward the development and test firing of a full length 260-inch diameter solid fueled propellant rocket motor.

When the full-length motor is developed and test fired it should develop between 6½ and 7 million pounds of thrust, and should be a great staple in our space program of the future.

A GREAT WEST VIRGINIAN

Among those individuals who have been particularly interested in and active in connection with this program is a West Virginian, William L. Gore, who is the senior vice president for sales of the Aerojet-General Corp.

Mr. Speaker, I ask unanimous consent to include at this point in my remarks an article from the Charleston Gazette concerning William L. Gore and his role in the Aerojet-General Corp.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The article is as follows:

[From the Charleston (W. Va.) Gazette, Oct. 3, 1965]

STATE NATIVE HEADS UP TOP SPACE FIRM'S SALES

William L. Gore is a high school dropout who was voted president of his class at Harvard University.

He also is the first man to be propelled in flight by rocket.

His boss is former Secretary of the Navy Dan Kimball, who never went to high school. Kimball is chairman of Aerojet-General Corp., which had more than a half-billion dollars in sales last year and has 20,000 employees in 12 plants across the United States.

Gore is senior vice president for sales at Aerojet-General, with offices at Pasadena, Calif., New York, and abroad.

Lest this be taken as a testimonial to abandoning formal study, a closer look at Bill Gore is in order.

He is a first cousin of Truman E. Gore, State finance and administration commissioner. They grew up together on the Gore farm outside Clarksburg.

Bill took off for Pittsburgh in the early 1930's and landed a job, briefly, before he enlisted in the U.S. Marines.

Interested in aviation, he took flight training at Pennsacola Naval Air Station and started flying Government mail through the Caribbean. In about 1935, he was transferred to Roswell, N. Mex.

There a physicist named Robert Goddard, ridiculed in Government circles as a "môon man" and a dreamer, had just launched the first rocket to go faster than the speed of sound. Dr. Goddard envisioned rocket-propelled vehicles orbiting the earth and even someday traveling to distant planets. One of his early disciples was Bill Gore.

During the early years of World War II, the War Department called in Goddard to explain the principles of liquid-fueled rockets. Intelligence had learned German scientists were working on them.

"It later developed that the German V–2 was nothing more than a bigger version of Dr. Goddard's early rockets," Gore said here last week.

He was one of the principal speakers at the NASA procurement conference sponsored by the State commerce department.

As a marine pilot assigned to Goddard's experimental station, Gore was the first man to test the jet-assisted takeoff (JATO) device that proved so effective in boosting planes aloft in a short distance.

Gore volunteered for the first test, and received the Navy's Distinguished Service Cross as the first man assisted aloft by rocket power.

After World War II, Gore resigned his commission and joined a fledgling firm named Aerojet in California. The firm was formed to make rocket engines in a fruit juice plant. Later, it was absorbed by the giant General Tire Corp.

"I got in on the ground floor of an exciting business," Gore said. But he failed to mention the numerous correspondence courses and specialized training that equipped him for his key job with one of the world's leading space firms.

In 1960, Gore enrolled in the advanced management program at Harvard's Graduate Schools of Business Administration. There were 130 top management executives and Government officials attending the course. Gore was elected permanent president of the class on graduation day.

During the Korean war he was assigned by the Secretary of the Army and the Air Force to tour the battlefronts and submit a secret report on the war.

Two years ago, he was the fleet admiral's guest in the world cruise of the U.S. atomic fleet—and discovered the carrier's captain had received his first airplane ride from Marine Pilot Gore.

"It's amazing that we've been able—in the short space of 30 years—to go from a small rocket in the New Mexico desert to the tremendous vehicles of today," Gore commented.

Last week a Cape Kennedy, Fla., Aerojet's 100 scientists launched a solid-fuel rocket with 3.5 million pounds of ground thrust. That's enough horsepower to put about 44 Cadillacs into orbit.

"It was real gratifying," Gore said, then added: "But it's only the beginning."

Mr. HECHLER. Mr. Speaker, the initial effort in the development of solid propellants was started by the Air Force. We have seen the obvious advantages of the Polaris and Minuteman missiles powered by solid propellants. The Air Force built on these developments and produced the 120-inch and 156-inch solid boosters. Solid-booster development was carried on jointly by NASA and the Air Force from 1963 to 1965, and since March 1965, by NASA.

When the President sent up his budget for the fiscal year 1966, no funds were included for further development of the 260-inch diameter solid propellant booster. The Bureau of the Budget ruled that this program should be phased out. The program had cost the Federal Government approximately $42 million, added to which were over-runs under the Air Force contracts to bring the total investment to $51.1 million.

As the House Committee on Science and Astronautics considered this question, we could not help but conclude that $51.1 million is probably the cheapest booster cost of any size that had been brought to this stage of development.

NEED FOR LARGER BOOSTERS

It should not be necessary to point out that the first bitter space lesson this Nation learned in October 1957 was that the key to the exploration of space is the ability to develop large operational boosters and propulsion capability. It would now be the height of folly to interrupt or terminate this program which is demonstrating its effectiveness. To cut off funds for further development of the 260-inch solid-fueled rocket would disperse the research teams beyond retrieval, and would result in the waste of millions of dollars already spent. It is for this reason that Congress authorized the additional $6.2 million.

What is contained in this solid propellant which was fired on September 25? The booster consists of ammonium perchlorate as the oxidizer, plus an aluminum composite poly butadiene acrylonitrile fuel. This fuel is essentially a synthetic rubber base with additives of powdered aluminum and an acrylic acid. The igniter is the same material but is designed by shape to burn quickly to raise the temperature along the entire 260-inch grain as quickly and as uniformly as possible.

The feasibility test is carried out under the supervision of the Office of Advanced Research and Technology of the National Aeronautics and Space Administration. The project management is the responsibility of NASA's Lewis Research Center in Cleveland, Ohio, under the direction of Dr. Abe Silverstein. James J. Kramer is the Lewis project manager.

A WEST VIRGINIA FIRM PARTICIPATES

The length of the motor which was test fired measures 80 feet, 8 inches. The total motor weight is 931 tons, 90 percent of which is propellant. I am proud to note that much of the aluminum core was made by the Kaiser Aluminum & Chemical Corp. of Ravenswood, W. Va. The core is 60 feet in length and weighs 107 tons, and is used to form the propellant grain into the correct shape so that firing will be even.

According to NASA's advance statement:

The objectives of the project are to advance technology and to demonstrate the feasibility of building and operating solid motors of large size.

The motor was fired in a nozzle-up position from a test pit more than 160 feet deep, with only the nozzle extending above the ground. The flame from the motor shot up 1,200 feet into the air as the propellant burned at a rate of 6 tons per second.

Once the igniter fired an 80-foot flare the entire length of the big motor, the igniter was removed by allowing it to fly itself out of the nozzle of the larger motor. The igniter motor was tethered by huge steel cables and was to swing through a controlled arc and land in a pond near by. But the cables did not hold, and the igniter shot up several thousand feet. This was just one very minor phase of the test which did not go as planned, but it cannot be considered as a serious shortcoming.

Mr. Speaker, under unanimous consent, I include the text of the NASA release of September 29, 1965, which announces that the September 25 test had achieved the planned objectives:

NASA'S LARGE SOLID MOTOR TEST ACHIEVES OBJECTIVES

A 260-inch diameter solid fuel rocket motor developed 3.5 million pounds thrust in a test Saturday, and all results were apparently successful.

The largest motor ever fired was built for the National Aeronautics and Space Administration by the Aerojet-General Corp. near Miami, Fla.

Engineers of Aerojet and NASA's Lewis Research Center, manager of the project, said preliminary results showed that the motor recorded a total action time (or near peak thrust) of 112 seconds, out of a total burning time of 124 seconds. A pressure of 600 pounds per square inch and a top temperature of 5,500° F. was developed inside the steel casing.

The motor, bolted in place nozzle end upward, was tested in a 180-foot pit lined with concrete. The motor itself was 60 feet long and was topped by a 20-foot-high nozzle. Made of special maraging steel casing, the motor contained 1,680,000 pounds of solid propellant cast in one piece.

It was ignited by another rocket motor, of 250,000 pounds thrust capacity. The igniter motor broke free of its tether, rose several thousand feet upward and landed a few hundred yards from the pit.

Scientists of NASA and Aerojet said the results of the test advanced technology and demonstrated feasibility of large solid propellant motors for us in future space launch applications. The test was made with a "half length" motor; a full length motor would develop about 7 millions pounds of thrust. The test series includes one more firing by Aerojet of a similar size motor early next year.

The Honorable GEORGE P. MILLER, chairman of the House Committee on Science and Astronautics, and the other Members of the House who witnessed this demonstration were enthusiastic about the results. Following our return from Homestead, Fla., Chairman MILLER conferred with Hon. OLIN TEAGUE, chairman of the Subcommittee on NASA Oversight, who then wrote a letter to NASA dated September 27, congratulating NASA on the successful test firing. The letter also requested NASA's advice on plans to utilize the fiscal 1966 funds, and also a 3-year schedule for large solid booster development following fiscal year 1966.

FUTURE USES

Mr. Speaker, according to estimates by Aerojet-General Corp., the 260 in combination with an existing upper stage can deposit a 14,000-pound payload on the Moon, or send a 7,500-pound payload to Mars. The instant readiness of the 260 also makes it an excellent first stage for vehicles resupplying manned stations on the moon. The 260 is ideally suited for the booster phase of repeated vehicle flights to earth-orbiting space stations for the purpose of resupply and changing crews. Finally, more than sufficient power is provided by the 260 for boosting the nuclear upper-stage propulsion system out of the atmosphere and to operating velocity.

I trust, Mr. Speaker, that we may go forward at full speed on solid propellant booster development, for I believe that these solid boosters can cut the costs of our space launchings by 50 percent in the future.

Mr. HECHLER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PEPPER (at the request of Mr. ALBERT), for today, on account of official business.

Mr. TENZER (at the request of Mr. ALBERT), for October 5 and 6, on account of observance of religious holiday.

Mr. REINECKE (at the request of Mr. GERALD R. FORD), for the balance of the week, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to Mr. FEIGHAN, for 15 minutes, today; to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. EVERETT and to include extraneous matter.

Mr. REUSS.

(The following Members (at the request of Mr. GROSS), and to include extraneous matter:)

Mr. MATHIAS.

Mr. MARTIN of Alabama.

(The following Members (at the request of Mr. BOGGS) and to include extraneous matter:)

Mr. ST. ONGE in two instances.
Mr. HÉBERT.
Mr. BRADEMAS.
Mr. SCHEUER.
Mr. HOWARD.
Mr. COOLEY.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1316. An act to authorize the Commissioners of the District of Columbia to enter into joint contracts for supplies and services on behalf of the District of Columbia and for political divisions and subdivisions in the National Capital region; to the Committee on the District of Columbia.

S. 2542. An act to amend the Small Business Act; to the Committee on Banking and Currency.

ADJOURNMENT

Mr. SCHMIDHAUSER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 22 minutes p.m.) the House adjourned until tomorrow, Wednesday, October 6, 1965, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1645. A communication from the President of the United States, transmitting a proposed supplemental appropriation for the Department of Health, Education, and Welfare for fiscal year 1966 (H. Doc. No. 298); to the Committee on Appropriations and ordered to be printed.

1646. A letter from the national adjutant, Disabled American Veterans, transmitting the proceedings of the national convention for the year ending June 30, 1965, together with a report of receipts and expenditures, pursuant to Public Law 668, approved July 15, 1942, and Public Law 77–249 (H. Doc. No. 300); to the Committee on Veterans' Affairs, and ordered to be printed with illustrations.

1647. A letter from the Chairman, Foreign Claims Settlement Commission of the United States, transmitting the 20th Semiannual Report, pursuant to section 9 of the War Claims Act of 1948 (62 Stat. 1246, 50 U.S.C. App. sec. 2008), as amended, and section 3(c) of the International Claims Settlement Act of 1949 (64 Stat. 13, 22 U.S.C., sec. 1622(c), as amended; to the Committee on Foreign Affairs.

1648. A letter from the Acting Comptroller General of the United States, transmitting a report of need for improved administration of allowances paid for uniforms of cadets in the Reserve Officers' Training Corps, Departments of the Army and the Air Force; to the Committee on Government Operations.

1649. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to Public Law 87–885; to the Committee on the Judiciary.

1650. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to Public Law 87–885; to the Committee on the Judiciary.

1651. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered, as well as a list of the persons involved, pursuant to the provisions of section 13(c) and 13(b) of the act of September 11, 1957; to the Committee on the Judiciary.

1652. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved, according the beneficiaries of such petitions first preference classification, pursuant to section 204(c) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

1653. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in certain cases, and the names of the aliens covered thereby, pursuant to section 212(d)(3) and section 212(d)(6) of the Immigration and Nationality Act; to the Committee on the Judiciary.

1654. A letter from the Secretary of Commerce, transmitting the second annual report of the Mobile Trade Fairs Act, for the fiscal year ended June 30, 1965, pursuant to Public Law 87–839; to the Committee on Merchant Marine and Fisheries.

1655. A letter from the Secretary of Commerce, transmitting a report of payments made for indemnification for property loss sustained by employees of the Department of Commerce during fiscal year 1965, pursuant to 31 U.S.C. 240–242; that no claims were paid under authority of 10 U.S.C. 2732, as amended by 33 U.S.C. 857a; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MORRISON: Committee on Post Office and Civil Service. H.R. 11420. A bill to amend title 39, United States Code, to provide certain mailing privileges with respect to members of the U.S. Armed Forces, and for other purposes; without amendment (Rept. No. 1117). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 10625. A bill to amend the Internal Revenue Code of 1954 with respect to the tax treatment of certain amounts paid to servicemen and survivors; with amendment (Rept. No. 1118). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CASEY:

H.R. 11427. A bill to amend the Federal Firearms Act to prohibit the use in the commission of certain crimes of firearms transported in interstate commerce; to the Committee on Ways and Means.

By Mr. DOWDY:

H.R. 11428. A bill to amend the act of September 8, 1960, relating to the Washington Channel waterfront; to the Committee on the District of Columbia.

By Mr. FARNUM:

H.R. 11429. A bill to provide for a visitors center in the Capitol of the United States as a part of any extension, expansion, or renovation of the west front of the Capitol; to the Committee on Public Works.

By Mr. GERALD R. FORD:

H.R. 11430. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. HARVEY of Michigan:

H.R. 11431. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. JOELSON:

H.R. 11432. A bill to provide for construction of a protective glass screen in the spectators' galleries of the House of Representatives; to the Committee on Public Works.

By Mr. MULTER:

H.R. 11433. A bill to authorize the establishment of Federal mutual savings banks; to the Committee on Banking and Currency.

By Mr. PEPPER:

H.R. 11434. A bill to require the appropriate authorities of Federal executive branch agencies to excuse from duty, without loss of pay or reduction in annual or sick leave, employees under their respective jurisdictions in areas covered by official hurricane warnings or warnings of other severe weather conditions; to the Committee on Post Office and Civil Service.

By Mr. WYDLER:

H.R. 11435. A bill to strengthen State and local governments, to provide the States with additional financial resources to improve elementary and secondary education by returning a portion of the Federal revenue to the States; to the Committee on Ways and Means.

By Mr. MILLS:

H.R. 11436. A bill to amend the Internal Revenue Code of 1954 to permit amortization of railroad grading and certain other right-of-way improvements, and for other purposes; to the Committee on Ways and Means.

By Mr. BYRNES of Wisconsin:

H.R. 11437. A bill to amend the Internal Revenue Code of 1954 to permit amortization of railroad grading and certain other right-of-way improvements, and for other purposes; to the Committee on Ways and Means.

By Mr. LOVE:

H.R. 11438. A bill to provide that the value of annuities and pensions payable under the Civil Service Retirement Act or any other Federal law shall not be taken into account for State inheritance tax purposes; to the Committee on Ways and Means.

By Mr. BROYHILL of Virginia:

H.R. 11439. A bill to provide for an increase in the annuities payable from the District of Columbia teachers' retirement and annuity fund, to revise the method of determining the cost-of-living increases in such annuities, and for other purposes; to the Committee on the District of Columbia.

By Mr. CONABLE:

H.R. 11440. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing training programs for employees and prospective employees; to the Committee on Ways and Means.

By Mr. ERLENBORN:

H.R. 11441. A bill to strengthen State and local governments, to provide the States with additional financial resources to improve elementary and secondary education by returning a portion of the Federal revenue to the States; to the Committee on Ways and Means.

By Mr. FEIGHAN:

H. Con. Res. 519. Concurrent resolution authorizing the printing of additional copies of the hearings on H.R. 2580 (89th Cong., 1st sess.), to amend the Immigration and

Nationality Act, and for other purposes, before the Committee on the Judiciary of the House of Representatives; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRETT:

H.R. 11442. A bill for the relief of Raffaele Berarducci; to the Committee on the Judiciary.

By Mr. BINGHAM:

H.R. 11443. A bill for the relief of Paul S. Symchych; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia (by request):

H.R. 11444. A bill for the relief of Yee Min Kiang, his wife, Shui Yiu Wong, and their minor children, Oi Hong Kiang and Oi Chuk Kiang; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 11445. A bill for the relief of Gordon Frederick Jones; to the Committee on the Judiciary.

By Mr. KING of Utah:

H.R. 11446. A bill for the relief of Dr. Ralph R. Stevenson; to the Committee on the Judiciary.

By Mr. LINDSAY:

H.R. 11447. A bill for the relief of Ilyn (Eileen) Haywood; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 11448. A bill for the relief of Nicola Augelletta; to the Committee on the Judiciary.

By Mr. REUSS:

H.R. 11449. A bill for the relief of Mrs. Katharina Doermer; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

276. By the SPEAKER: Petition of 90th Division Association, Kansas City, Mo., relative to the disbanding of certain military Reserve units; to the Committee on Armed Services.

277. Also, petition of Henry Stoner, Old Faithful Station, Wyo., relative to restricting the use of listening devices by private individuals; to the Committee on Interstate and Foreign Commerce.

SENATE

TUESDAY, OCTOBER 5, 1965

(Legislative day of Friday, October 1, 1965)

The Senate met at 12 o'clock meridian, on the expiration of the recess, and was called to order by the President pro tempore.

Rev. Paul Morrison, D.D., associate minister, Foundry Methodist Church, Washington, D.C., offered the following prayer:

Almighty God, Father of all mankind, Creator of the universe, Ruler and Judge of all nations, we pause in reverence and awe to acknowledge Thy bountiful goodness and divine guidance, and to express our gratitude and thanks to Thee for all the benefits which Thou hast showered upon our beloved country. We ask Thy blessing and seek Thy providence upon this legislative body as it enacts far-reaching laws touching the affairs of millions of citizens.

Grant, O God, that each Member of the Senate may be worthy of the trust placed upon them. May they never lose the common touch with the multitudes of citizens they represent, nor fail to serve the common good. In these crucial days and critical hours for the whole world, strengthen the Members of the Senate to be loyal to the moral and ethical principles upon which this Nation was founded. Breathe Thy divine spirit into each one that they may do justly, exercise the love of mercy and to ever walk humbly with Thee, and this we pray, with the forgiveness of our sins, through Jesus Christ our Lord. Amen.

REPEAL OF SECTION 14(b) OF THE NATIONAL LABOR RELATIONS ACT, AS AMENDED

The Senate resumed the consideration of the motion of the Senator from Montana [Mr. MANSFIELD] that the Senate proceed to the consideration of the bill (H.R. 77) to repeal section 14(b) of the National Labor Relations Act, as amended, and section 703(b) of the Labor-Management Reporting Act of 1959 and to amend the first proviso of section 8(a)(3) of the National Labor Relations Act, as amended.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, October 1, 1965, and of Monday, October 4, 1965, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that the President had approved and signed the following acts and joint resolution:

On September 29, 1965:

S. 402. An act for the relief of Ch Wha Ja (Penny Korleen Doughty);

S. 450. An act for the relief of William John Campbell McCaughey;

S. 618. An act for the relief of Nora Isabella Samuelli;

S. 906. An act to provide for the measurement of the gross and net tonnages for certain vessels having two or more decks, and for other purposes;

S. 1111. An act for the relief of Pola Bodenstein; and

S. 1390. An act for the relief of Rocky River Co., and Macy Land Corp.

On September 30, 1965:

S. 1588. An act to authorize the Secretary of Commerce to undertake research and development in high-speed ground transportation, and for other purposes.

On October 1, 1965:

S. 664. An act to provide for the disposition of judgment funds of the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians, and for other purposes;

S. 1190. An act to provide that certain limitations shall not apply to certain land patented to the State of Alaska for the use and benefit of the University of Alaska;

S. 1623. An act to amend the act of August 1, 1958, relating to a continuing study by the Secretary of the Interior of the effects of insecticides, herbicides, fungicides, and other pesticides upon fish and wildlife for the purpose of preventing losses to this resource;

S. 1764. An act to authorize the acquisition of certain lands within the boundaries of the Uinta National Forest in the State of Utah by the Secretary of Agriculture;

S. 1975. An act to amend the Northern Pacific Halibut Act in order to provide certain facilities for the International Pacific Halibut Commission; and

S. 1988. An act to provide for the conveyance of certain real property of the United States to the State of Maryland.

On October 2, 1965:

S. 4. An act to amend the Federal Water Pollution Act to establish a Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of sewage treatment works, to require establishment of water quality criteria, and for other purposes; and

S.J. Res. 98. Joint resolution authorizing and requesting the President to extend through 1966 his proclamation of a period to "See the United States," and for other purposes.

REPORT OF CORREGIDOR-BATAAN MEMORIAL COMMISSION—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 299)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Foreign Relations:

To the Congress of the United States:

Pursuant to the provisions of Public Law 193, 83d Congress, as amended, I hereby transmit to the Congress of the United States the 12th Annual Report of the Corregidor-Bataan Memorial Commission for the fiscal year ended June 30, 1965.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *October 5, 1965.*

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 597) to amend the Public Health Service Act to provide for a program of grants to assist in meeting the need for adequate health science library services and facilities, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the joint resolution (S.J. Res. 69) to authorize the Administrator of General Services to construct the third Library of Congress building in square 732 in the District of Columbia, to be named the "Library of Congress James Madison Memorial Building" and to contain a Madison Memorial Hall, and for other purposes, with amendments, in which it requested the concurrence of the Senate.